

county there are not at least a majority of the members of said board so qualified, two (2) or more judges of the court of common pleas shall be designated by said court to act as a return board, provided that neither of them is a candidate for any nomination or election to public office; and if there shall be only one judge of such court in such county or if less than two (2) judges are qualified and able to act in such county, any judge who is qualified may act alone, and if there be none qualified, the prothonotary of such county shall act as the return board, and if the prothonotary shall be a candidate for any nomination or election to any public office, then the sheriff of the county shall act as the return board, *and if the sheriff shall be a candidate for any nomination or election to any public office, then the president judge of the court of common pleas in such county shall make a written request to the Chief Justice of the Supreme Court for the assignment of a judge from another judicial district who shall act as the return board.*

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE

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No. 540

AN ACT

To further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1333), 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," by further regulating the date of the primary election.

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

Section 1. Section 603 of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1333), 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,

"Pennsylvania  
Election Code."

Section 603, act  
of June 3, 1937,  
P. L. 1333,  
amended.

revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," is hereby amended to read as follows:

Section 603. [Spring] *General Primary; Candidates to Be Nominated and Party Officers to Be Elected.*—There shall be a [Spring] *General* primary preceding each general election which shall be held on the third Tuesday of May in all even-numbered years, except in the year of the nomination of a President of the United States, in which year the [Spring] *General* primary shall be held on the fourth Tuesday of April. Candidates for all offices to be filled at the ensuing general election shall be nominated at the [Spring] *General* primary. Delegates and alternate delegates to National party conventions, members of State committees and such other party committeemen and officers, including members of the National committee, as may be required by the rules of the several political parties to be elected by a vote of the party electors, shall be elected at the [Spring] *General* primary. The vote for candidates for the office of President of the United States, as provided for by this act, shall be cast at the [Spring] *General* primary.

Sections 604, 904 and 906, said act, as last amended by act of March 6, 1951, P. L. 3, further amended.

Section 2. Sections 604, 904 and 906 of said act, as last amended by the act, approved the sixth day of March, one thousand nine hundred fifty-one (Pamphlet Laws 3), are hereby further amended to read as follows:

Section 604. [Summer] *Municipal Primary; Officers to Be Nominated.*—There shall be a [Summer] *Municipal* primary preceding each municipal election which shall be held on the [fourth] *third* Tuesday of [July] *May* in all odd-numbered years. Candidates for all offices to be filled at the ensuing municipal election shall be nominated at the [Summer] *Municipal* primary.

Section 904. *Municipal Clerks and Party Chairmen to Furnish Information as to Offices to Be Filled.*—To assist the respective county boards in ascertaining the offices to be filled, it shall be the duty of the clerks or secretaries of the various cities, boroughs, towns, townships, school districts and poor districts, with the advice of their respective solicitors, on or before the twelfth Tuesday preceding the [Summer] *Municipal* primary, to send to the county boards of their respective counties a written notice setting forth all city, borough, town, township, school district and poor district offices to be filled in their respective subdivisions at the ensuing municipal election, and for which candidates are to be nominated at the ensuing primary. It shall also be the duty of the chairman of the State committee of each political party to forward to the Secretary of the Commonwealth and to the respective county boards, on or

before the twelfth Tuesday preceding the [Spring] *General* primary, a written notice setting forth the number of delegates and alternate delegates to the National convention of such party who are to be elected in the State at large at the ensuing primary, and the number of such delegates and alternate delegates who are to be elected at said primary in such county, or in any district within such county, or of which it forms a part. The said notice shall also set forth the number of members of the National committee, if any, who, under the National party rules, are to be elected at the said primary in the State at large, and the number of members of the State committee to be elected at the said primary in such county, or in any district, or part of a district within such county. It shall also be the duty of the chairman of the county committee and, in cases where a city is coextensive with a county, the chairman of the city committee of each party, on or before the twelfth Tuesday preceding the [Spring] *General* primary, to send to the county board of such county a written notice setting forth all party offices to be filled in the county at the ensuing primary.

Section 906. Publication of Notice of Officers to Be Nominated and Elected.—Beginning not earlier than eleven weeks, nor later than ten weeks before any regular [Spring or Summer] *General or Municipal* primary, the county board of each county shall publish in newspapers, as provided by section 106 of this act, a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary, and the number of delegates and alternate delegates who are to be elected at the said primary in said county, or in any district of which said county or part thereof forms a part, and also setting forth the names of all public offices for which nominations are to be made, and the names of all party offices, including that of members of the National committee, if any, and State committee, for which candidates are to be elected at said primary in said county, or in any district of which such county or part thereof forms a part, or in the State at large. Said notice shall contain the date of the primary, and shall be published once each week for two successive weeks in counties of the first and second class and once in all other counties.

Section 3. The provisions of this act shall become effective immediately upon final enactment.

Act effective  
immediately.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE