

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1178 Session of
2013

INTRODUCED BY SCHWANK, COSTA, WASHINGTON, BRUBAKER, EICHELBERGER
AND TARTAGLIONE, NOVEMBER 15, 2013

REFERRED TO STATE GOVERNMENT, NOVEMBER 15, 2013

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," further providing for definitions and for
12 regulations in force at polling places.

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

15 Section 1. Section 102 of the act of June 3, 1937 (P.L.1333,
16 No.320), known as the Pennsylvania Election Code, is amended by
17 adding a subsection to read:

18 Section 102. Definitions.--The following words, when used in
19 this act, shall have the following meanings, unless otherwise
20 clearly apparent from the context:

21 * * *

22 (z.6) The term "credentialed media" shall mean a person
23 whose business includes reporting or commenting to the public on

1 current events and news through print, electronic, digital or
2 other media and who complied with the provisions of section
3 1220.

4 * * *

5 Section 2. Section 1220(a) and (d) of the act are amended
6 and the section is amended by adding subsections to read:

7 Section 1220. Regulations in Force at Polling Places.--(a)
8 Until the polls are closed, no person shall be allowed in the
9 polling place outside of the enclosed space at any primary or
10 election, except the watchers, voters not exceeding ten at any
11 one time who are awaiting their turn to vote, credentialed media
12 and peace officers, when necessary for the preservation of the
13 peace. No elector shall be allowed to occupy a voting
14 compartment or voting machine booth already occupied by another,
15 except when giving assistance as permitted by this act.

16 * * *

17 (d) All persons, except election officers, clerks, machine
18 inspectors, overseers, watchers, persons in the course of
19 voting, persons lawfully giving assistance to voters,
20 credentialed media and peace and police officers, when permitted
21 by the provisions of this act, must remain at least ten (10)
22 feet distant from the polling place during the progress of the
23 voting.

24 * * *

25 (g) Credentialed media may be within ten feet of a polling
26 place while polls are open to record the events in writing or in
27 film, video or digital images while the processes do not
28 unreasonably disturb the order and conduct of elections.
29 Credentialed media seeking entry to a polling place must be
30 accommodated as reasonably as possible. A determination by the

judge of elections that the presence of credentialed media may not reasonably be accommodated may be overturned or modified by the county board of elections.

(h) Credentialed media may not:

(1) report or disclose in any form the identity of an elector within the polling place without the elector's permission;

(2) attempt to interview electors while either one is within the polling place;

(3) enter the enclosed space; or

(4) record the casting of an actual ballot.

(i) Credentialed media shall notify the Secretary of the Commonwealth or the county board of elections before the close of work on the Tuesday last preceding the primary or election of their intent to be present in a polling place, and identify the individuals for whom admission is sought. Credentialed media shall be permitted into a polling place without such notification after their credentialed status is verified by the county board of elections. The county board of elections may not unreasonably withhold a verification.

(j) No later than the day preceding the primary or election, the Secretary of the Commonwealth or the county board of elections shall make available for each member of the credentialed media requesting it a pass or other authorization it may require for credentialed media to enter a polling place. A pass or other authorization issued for the election by the Secretary of the Commonwealth shall be valid at any polling place in this Commonwealth without prior notice to a board of elections. A county board of elections may in the exercise of reasonable discretion permit credentialed media to enter a polling place despite failing to notify it before the close of

1 work on the Tuesday last preceding a primary or election.

2 Section 3. This act shall take effect in 60 days.