

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2119 Session of
1981

INTRODUCED BY RYBAK, KOWALYSHYN, ZWIKL, GALLAGHER, DeVERTER,
WAMBACH, BROWN, TELEK, BURNS, A. C. FOSTER, JR., PUNT,
STEWART, RIEGER, DONATUCCI, SWAIM AND WESTON, DECEMBER 8,
1981

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 8, 1981

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 the appointment of watchers
12 and their powers.

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

15 Section 1. Subsection (b) of section 417, act of June 3,
16 1937 (P.L.1333, No.320), known as the "Pennsylvania Election
17 Code," amended August 14, 1963 (P.L.1048, No.453), is amended to
18 read:

19 Section 417. Appointment of Watchers.--

20 * * *

21 (b) All watchers so appointed shall serve in only one
22 district and must be qualified registered electors of the

1 municipality or township in which the district where they are
2 authorized to act is located. Only one watcher for each
3 candidate at primaries, or for each party or political body at
4 general, municipal or special elections, shall be allowed to
5 remain in the polling place at any one time prior to the close
6 of the polls, and all watchers in the room shall remain outside
7 the enclosed space. After the close of the polls and while the
8 ballots are being counted or voting machine canvassed, all the
9 watchers shall be permitted to be in the polling place outside
10 the enclosed space. Each watcher shall be provided with a
11 certificate from the county board of elections, stating his name
12 and the name of the candidate, party or political body he
13 represents. Watchers shall be required to show their
14 certificates when requested to do so. Watchers allowed in the
15 polling place under the provisions of this act, shall be
16 permitted to keep a list of voters and shall be entitled to
17 challenge any person making application to vote and to require
18 proof of his qualifications, as provided by this act but may not
19 drive persons away from the polls by violence or intimidation.
20 All watchers so appointed as set forth above, who are to serve
21 in a district other than the one from which they are registered
22 electors, are to be appointed on petition of five or more duly
23 registered electors of the election district to the court of
24 common pleas. Said petition shall set forth that the watcher is
25 a qualified voter of the municipality or township in which the
26 district is located and that said watcher is a law abiding
27 citizen and of good reputel[, and the court shall consider all
28 factors relevant to said petition before granting or refusing
29 same]. The court shall refuse the petition unless the petitioner
30 proves by a preponderance of the evidence that such a watcher is

1 necessary.

2 * * *

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