

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1175 Session of 2011

INTRODUCED BY M. WHITE, WAUGH, SCHWANK, ERICKSON, D. WHITE, ALLOWAY, VANCE, MENSCH, EARLL AND FERLO, JUNE 23, 2011

SENATOR PIPPY, LAW AND JUSTICE, AS AMENDED, MARCH 27, 2012

AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania
2 Consolidated Statutes, in constables, repealing provisions
3 relating to elections, election services and criminal penalty
4 FURTHER PROVIDING FOR ELECTION DUTIES OF CONSTABLES AND FOR
5 ELECTION SERVICES; AND REPEALING A CRIMINAL PENALTY
6 PROVISION.

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

9 Section 1. Sections 7152, 7163 and 7175 of Title 44 of the
10 Pennsylvania Consolidated Statutes are repealed:

11 SECTION 1. SECTIONS 7152 AND 7163 OF TITLE 44 OF THE
12 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

13 †§ 7152. Elections.

14 The constable of a borough, township or ward, or his deputy,
15 [shall] MAY do all of the following:

16 (1) Be present at the polling place in each election
17 district of the borough, township or ward at each election
18 during the continuance of each election and while the votes
19 are being counted, for the purpose of preserving the peace.

20 (2) Serve at all elections.

1 § 7163. Election services.

2 For services performed under section 7152 (relating to  
3 elections), the constables and deputies performing the services  
4 shall receive the same compensation payable to inspectors and  
5 clerks under section 412.2(a) of the act of June 3, 1937  
6 (P.L.1333, No.320), known as the Pennsylvania Election Code. The  
7 compensation shall be paid by the county IF THE COUNTY ELECTS TO ←  
8 USE CONSTABLE OR DEPUTY CONSTABLE SERVICES IN ACCORDANCE WITH  
9 SECTION 7152 (RELATING TO ELECTIONS), and the sum shall include  
10 pay for serving notices in writing to persons elected at the  
11 election.

12 SECTION 2. SECTION 7175 OF TITLE 44 IS REPEALED: ←

13 [§ 7175. Criminal penalty.

14 A constable who neglects or refuses to perform the duties  
15 under the act of June 3, 1937 (P.L.1333, No.320), known as the  
16 Pennsylvania Election Code, commits a misdemeanor of the third  
17 degree and shall, upon conviction, be sentenced to pay a fine of  
18 \$500 or to imprisonment for not less than one month nor more  
19 than one year, or both.]

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