

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 153      Session of  
1975

---

Report of the Committee of Conference

---

To the Members of the House of Representatives and Senate:

We, the undersigned, Committee of Conference on the part of the House of Representatives and Senate for the purpose of considering House Bill No. 153, entitled:  
"An act amending the act of June 3, 1937 (P.L.1333, No.320), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; \* \* \* and repealing certain acts and parts of acts relating to elections,' requiring election districts to be contiguous in regions of CERTAIN school districts, ~~PROVIDING FOR ELECTION AT LARGE OF ALL SCHOOL DIRECTORS BEGINNING IN 1977~~ FURTHER PROVIDING FOR CONTRIBUTIONS BY CORPORATIONS, UNINCORPORATED ASSOCIATIONS OR UNIONS and providing an exception for police officers to be within a certain distance of a polling place.

respectfully submit the following bill as our report:

NORMAN S. BERSON

PETER E. PERRY

FRANK J. O'CONNELL, Jr.

(Committee on the part of the House of Representatives.)

THOMAS M. NOLAN

JOSEPH F. SMITH

FREDERICK H. HOBBS

(Committee on the part of the Senate.)

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," requiring election districts to be contiguous in  
12 regions of certain school districts, further providing for  
13 certain activities by corporations and unincorporated  
14 associations, providing for an accounting exception for small  
15 contributions and providing an exception for police officers  
16 to be within a certain distance of a polling place.

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

19 Section 1. Section 502, act of June 3, 1937 (P.L.1333,  
20 No.320), known as the "Pennsylvania Election Code," reenacted  
21 April 4, 1945 (P.L.143, No.64) and amended September 2, 1961  
22 (P.L.1228, No.537), is amended to read:

23 Section 502. Court to Create New Election Districts.--  
24 Subject to the provisions of section 501 of this act, the court  
25 of quarter sessions of the county in which the same are located,  
26 may form or create new election districts by dividing or  
27 redividing any borough, township, ward or election district into  
28 two or more election districts of compact and contiguous  
29 territory, or alter the bounds of any election district, or form  
30 an election district out of two or more adjacent districts or  
31 parts of districts, or consolidate adjoining election districts,  
32 so as to suit the convenience of the electors and to promote the  
33 public interests. Election districts so formed shall contain  
34 between six hundred (600) and eight hundred (800) registered  
35 electors as nearly as may be. No election district shall be  
36 formed that shall contain less than one hundred (100) registered

1 electors. When a school district crosses county lines, the  
2 regions of the school district shall be composed of contiguous  
3 election districts.

4 Section 2. Section 1207 of the act, amended June 19, 1974  
5 (No.122), is amended to read:

6 Section 1207. Peace Officers; No Police Officer to Be Within  
7 One Hundred Feet of Polling Place; Exceptions; Presence of  
8 Soldiers Prohibited.--The constable of each borough, township or  
9 ward, or his deputy shall be present at the polling place in  
10 each election district of such borough, township or ward at each  
11 primary and election during the continuance thereof, and while  
12 the votes are being counted, for the purpose of preserving the  
13 peace, and shall serve at all elections for which services the  
14 said constable and each of such deputies performing such  
15 services shall receive the same compensation payable to  
16 inspectors and clerks under section 412 (a) of this act which  
17 shall be paid by the county. Such sum shall include pay for  
18 serving notices in writing to persons elected at such election.  
19 The election officers, or any three qualified electors of any  
20 election district, may call upon any mayor, chief burgess,  
21 sheriff, deputy sheriff, constable, deputy constable, or police  
22 officer, to clear an avenue to the door of any polling place  
23 which is obstructed in such a way as to prevent electors from  
24 approaching, or to maintain order and quell any disturbance, if  
25 such arises. No police officer in commission, whether in uniform  
26 or in citizen's clothes, shall be within one hundred feet of a  
27 polling place during the conduct of any primary or election,  
28 unless in the exercise of his privilege of voting, or for the  
29 purpose of serving warrants, or unless called upon to preserve  
30 the peace, as provided by this act: Provided, however, That such

1 prohibition shall not apply to such police officers assigned to  
2 a police station or headquarters located in a building or on the  
3 premises where the polling place is located and such police  
4 officers must be within one hundred (100) feet of the polling  
5 place to enter and exit such police station or headquarters: And  
6 provided further, That in no event may any police officer  
7 unlawfully use or practice any intimidation, threats, force or  
8 violence nor, in any manner, unduly influence or overawe any  
9 elector or prevent him from voting or restrain his freedom of  
10 choice, nor may any such police officer electioneer or directly  
11 or indirectly attempt to influence the election or electors  
12 while within one hundred (100) feet of a polling place as herein  
13 set forth: And provided further, That where polling places are  
14 located in buildings or on premises where a police station or  
15 headquarters are located, the polling place shall be located in  
16 a separate room. No body of troops in the Army of the United  
17 States or of this Commonwealth shall be present, either armed or  
18 unarmed, at any place of election within this Commonwealth  
19 during the time of any primary or election: Provided, however,  
20 That no officer or soldier shall be prevented from exercising  
21 the right of suffrage in the election district in which he  
22 resides, if otherwise qualified.

23 Section 3. Section 1605 of the act is amended by adding a  
24 subsection to read:

25 Section 1605. Contributions for Election Expenses to Be Made  
26 to Candidates or Treasurers; Contributions by Corporations and  
27 Unincorporated Associations Prohibited.--

28 \* \* \*

29 (c) Neither the provisions of this section, nor the  
30 provisions of section 1604(a) nor any other provisions of the

1 laws of this Commonwealth shall be deemed to prohibit direct  
2 private communications by a corporation to its stockholders and  
3 their families or by an unincorporated association to its  
4 members and their families on any subject; non-partisan  
5 registration and get-out-the vote campaigns by a corporation  
6 aimed at its stockholders and their families or by an  
7 unincorporated association aimed at its members and their  
8 families; and the establishment, and administration by a  
9 corporation or an unincorporated association of a separate  
10 segregated fund which fund is to be created by voluntary  
11 individual contributions and to be utilized for political  
12 purposes, provided that any such separate segregated fund shall  
13 be deemed to be a political committee for the purposes of  
14 section 1607 of this act.

15       Section 4. Subsection (a) of section 1607 of the act,  
16 amended July 17, 1963 (P.L.266, No.141), is amended to read:

17       Section 1607. Expense Accounts to Be Filed.--

18       (a) Every candidate for nomination or election, and every  
19 treasurer of a political committee, or person acting as such  
20 treasurer, shall, within thirty days after every primary and  
21 election at which such candidate was voted for or with which  
22 such political committee was concerned, if the amount received  
23 or expended or liabilities incurred shall exceed the sum of one  
24 hundred fifty dollars, file a full, true and detailed account,  
25 subscribed and sworn to by him, setting forth each and every sum  
26 of money received, contributed or disbursed by him for primary  
27 or election expenses, the date of each receipt, contribution and  
28 disbursement, the name of the person from whom received or to  
29 whom paid, and the specific object or purpose for which the same  
30 was disbursed. Such account shall also set forth the unpaid

1 debts and liabilities of any such candidate or committee for  
2 primary or election expenses, with the nature and amount of  
3 each, and to whom owing. In the case of the treasurer of a  
4 political committee, the account shall include any unexpended  
5 balance of contributions or other receipts appearing from the  
6 last previous account filed by him, and shall also include a  
7 complete listing of all receipts and disbursements made by such  
8 committee for any purpose, including all receipts and  
9 disbursements from the publication and sale of all publications,  
10 and from the time of the last account or from the time of the  
11 formation of the political committee if no prior account has  
12 been filed. In the case of candidates for election who have  
13 previously filed accounts of their primary expenses as  
14 candidates for nomination, the accounts shall only include  
15 receipts, contributions and disbursements subsequent to the date  
16 of such prior accounts.

17 Notwithstanding the foregoing paragraph, where any amount  
18 received or contributed is not more than fifty (\$50) dollars,  
19 such amounts may be aggregated according to the date of receipt  
20 or contribution. In such cases, the name of the person from whom  
21 received or contributed need not be set forth. However, where  
22 the candidate for nomination or election, treasurer of a  
23 political committee, or person acting as a treasurer, knows or  
24 has reason to know that a person has, through multiple  
25 contributions, contributed more than a total of fifty (\$50)  
26 dollars, he must make a full, true and detailed account and  
27 report of what he knows or has reason to know.

28 \* \* \*

29 Section 5. Section 1820 of the act is amended to read:

30 Section 1820. Police Officers at Polling Places.--Any police

1 officer in commission, whether in uniform or in citizen's  
2 clothes, who shall be within one hundred (100) feet of a polling  
3 place during the conduct of any primary or election, except in  
4 the exercise of his privilege of voting or for the purpose of  
5 serving warrants, or in accordance with the provisions of the  
6 exception set forth in section 1207 of this act where the police  
7 station or headquarters is located in the same building or on  
8 the premises where the polling place is located or unless called  
9 upon to preserve the peace, as provided by this act, shall be  
10 guilty of a misdemeanor, and, upon conviction thereof, shall be  
11 sentenced to pay a fine not exceeding five hundred (\$500)  
12 dollars, or to undergo an imprisonment of not more than one (1)  
13 year, or both, in the discretion of the court.

14 Section 6. Any school district which crosses county lines  
15 and in which regions are composed of non-contiguous election  
16 districts shall be reapportioned. If a school district is not  
17 reapportioned within six months after enactment hereof, the  
18 court of common pleas of the county in which the largest part in  
19 land area of the school district is located shall form new  
20 regions in the manner provided for the formation of election  
21 districts. School directors elected in 1975 and incumbent school  
22 directors shall serve the terms for which they were elected;  
23 their successors shall be elected in accordance with the  
24 reapportioned regions.

25 Section 7. This act shall take effect immediately.