

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1270 Session of
1983

INTRODUCED BY SEVENTY, PISTELLA, ITKIN, TRELLO, DUFFY,
COLAFELLA, OLASZ, MRKONIC, SALOOM, PETRONE, PETRARCA, GAMBLE,
ALDERETTE, DAWIDA, HALUSKA, AFFLERBACH, RYBAK, CLARK, DeLUCA,
TELEK, WOZNIAK, STEIGHNER, VAN HORNE AND McMONAGLE, JUNE 28,
1983

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 28, 1983

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," providing for the duties of magistrates and
12 district justices on primary and election days.

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

15 Section 1. Section 1206 of the act of June 3, 1937
16 (P.L.1333, No.320), known as the Pennsylvania Election Code,
17 amended July 13, 1961 (P.L.603, No.303), is amended to read:

18 Section 1206. Duties of Common Pleas Court, Magistrates and
19 District Justices on Days of Primaries and Elections.--The court
20 of common pleas of each county of the Commonwealth or a judge or
21 judges thereof, shall be in continuous session at the courthouse

1 of said county, or, in judicial districts composed of more than
2 one county, at the courthouse of the county in which such judge
3 or judges reside, on the day of each primary and election from 7
4 o'clock A. M. until 10 o'clock P. M. and so long thereafter as
5 it may appear that the process of said court will be necessary
6 to secure a free, fair and correct computation and canvass of
7 the votes cast at said election. In judicial districts having
8 but one judge of the court of common pleas, such judge shall not
9 be required to be in session, as aforesaid, between the hours of
10 12 o'clock noon and 2 o'clock P. M., nor between the hours of
11 5:30 o'clock P. M. and 7 o'clock P. M. The court shall also
12 appoint such number of magistrates or district justices as it
13 deems necessary to sit in session in their offices during the
14 same hours as the judge sits in a judicial district having but
15 one judge. During such period said court, magistrate or district
16 justice shall act as a committing magistrate for any violation
17 of the election laws; shall settle summarily controversies that
18 may arise with respect to the conduct of the election; shall
19 issue process, if necessary, to enforce and secure compliance
20 with the election laws; and shall decide such other matters
21 pertaining to the election as may be necessary to carry out the
22 intent of this act; and in counties of the third class the court
23 or district justice shall have power to appoint additional
24 clerks at the polling places where needed and requested by the
25 election board: Provided, That for each clerk appointed from the
26 majority political party, a clerk from the minority political
27 party must also be appointed.

28 Section 2. This act shall take effect immediately.