

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1056 Session of
2001

INTRODUCED BY METCALFE, ORIE, FREEMAN, JAMES, NICKOL AND ROHRER,
MARCH 19, 2001

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 19, 2001

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 appointment of watchers.

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

14 Section 1. Section 417 of the act of June 3, 1937 (P.L.1333,
15 No.320), known as the Pennsylvania Election Code, amended August
16 1, 1963 (P.L.434, No.227), August 14, 1963 (P.L.1048, No.453)
17 and July 12, 1980 (P.L.649, No.134), is amended to read:

18 Section 417. Appointment of Watchers.--

19 (a) Each candidate for nomination or election at any
20 election shall be entitled to appoint two watchers in each
21 election district in which such candidate is voted for. Each
22 political party and each political body which has nominated

1 candidates in accordance with the provisions of this act, shall
2 be entitled to appoint three watchers at any general, municipal
3 or special election in each election district in which the
4 candidates of such party or political body are to be voted for.
5 Upon petition of any organized body of citizens to the county
6 board of elections, the board shall appoint a number of
7 additional watchers representing the organized body of citizens
8 not to exceed two watchers per election district at any primary
9 election and not to exceed three watchers per election district
10 at any general, municipal or special election. Said petition
11 shall set forth the name of the organized body of citizens and
12 the election district or districts in which the organized body
13 of citizens seeks to place watchers. Such watchers shall serve
14 without expense to the county.

15 (b) All watchers so appointed shall serve in only one
16 district and must be qualified registered electors of the
17 municipality or township in which the district where they are
18 authorized to act is located. Only one watcher for each
19 candidate or organized body of citizens at primaries, or for
20 each party [or], political body or organized body of citizens at
21 general, municipal or special elections, shall be allowed to
22 remain in the polling place at any one time prior to the close
23 of the polls, and all watchers in the room shall remain outside
24 the enclosed space. After the close of the polls and while the
25 ballots are being counted or voting machine canvassed, all the
26 watchers shall be permitted to be in the polling place outside
27 the enclosed space. Each watcher shall be provided with a
28 certificate from the county board of elections, stating his name
29 and the name of the candidate, party [or], political body or
30 organized body of citizens he represents. Watchers shall be

1 required to show their certificates when requested to do so.
2 Watchers allowed in the polling place under the provisions of
3 this act, shall be permitted to keep a list of voters and shall
4 be entitled to challenge any person making application to vote
5 and to require proof of his qualifications, as provided by this
6 act. All watchers so appointed as set forth above, who are to
7 serve in a district other than the one from which they are
8 registered electors, are to be appointed on petition to the
9 court of common pleas. Said petition shall set forth that the
10 watcher is a qualified voter of the municipality or township in
11 which the district is located and that said watcher is a law
12 abiding citizen and of good repute, and the court shall consider
13 all factors relevant to said petition before granting or
14 refusing same.

15 (c) No candidate, organized body of citizens or committee of
16 a political party or of a political body, nor any other person
17 or persons shall pay to any watcher compensation in excess of
18 twenty (\$20.00) dollars per diem.

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