



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 573

PRINTERS NO. 1712

PRIME SPONSOR: Mastriano

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
County Funds	\$0	\$0

SUMMARY: Amends the Election Code to update and clarify provisions related to poll watchers. This legislation would take effect in 60 days.

ANALYSIS: This legislation amends Act 320 of 1937, known as the Pennsylvania Election Code, to increase the number of watchers permitted; allow watchers from anywhere within the Commonwealth if he or she is a registered elector; allows watchers to be within six feet of the counting of ballots; and increases fines and penalties for refusing to allow watchers to act, voter intimidation, and hindering or delaying performance of duty under the law.

Watchers: The legislation provides that each candidate for nomination or election at any election would be entitled to appoint three watchers (instead of the current two) at any primary, general, municipal, or special election, each election district in which such candidate is voted for. This legislation would also permit one watcher for each candidate and one watcher for each party or political body to be present in the polling place at any one time.

Each watcher appointed would be required to be a qualified registered elector of the Commonwealth, rather than the current requirement to be registered in the county.

After the close of the polls and while the ballots are being counted or voting machines canvassed, all watchers would be permitted to be in the polling place inside the enclosed space but could not interfere with the counting of ballots.

Watchers allowed in the polling place, would be permitted to keep a list of voters, and would be entitled to challenge any person making application to vote and to require proof of his qualifications at any facility where votes are collected.

A person allowed to watch the pre-canvassing would be required to be permitted to have a clear line of sight to view and hear the proceedings at a distance of six feet or less, but that does not impede the ability of the person canvassing ballots from carrying out the person's duties.

Refusal to Permit Overseers, Watchers, Attorneys or Candidates to Act: Anyone who refuses to permit any overseer or watcher, attorney or candidate to be present, as authorized by law, at any session of a county board, computation and canvassing of returns of any primary or election, recount of ballots or recanvass of voting machines or at any polling place during the time the polls are open at any primary or election, and after the close of the polls during the time the ballots are counted or voting machine canvassed and until the returns of such primary or election have been made up and signed, would be guilty of a misdemeanor of the second degree. The fine for this violation would be increased from \$1,000 to \$5,000 and the maximum imprisonment would increase from one year to two years. An individual in violation would also forfeit any compensation for election services rendered or repay compensation to the county, whichever applies.

Intimidation of voters and interference with the free exercise of the elective franchise: This violation would be upgraded to a misdemeanor of the first degree and the fine for this violation would be increased from \$5,000 to \$10,000 and the maximum imprisonment would increase from two year to three years.

Hindering or delaying performance of duty: The legislation also increases fines and penalties for a person who intentionally interferes with, hinders, or delays or attempts to interfere with, hinder or delay any other person in the performance of any act or duty authorized or imposed by law. The violator shall be guilty of a misdemeanor of the second degree and the fine for this violation would be increased from \$500 to \$2,500 and the maximum imprisonment would increase from one year to two years.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth or county funds.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: June 27, 2022

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.