

**SUNDAY POLO ACT - REPEALED**

**Act of Jul. 1, 2020, P.L. 530, No. 42**

**Cl. 04**

Session of 2020

No. 2020-42

HB 1379

AN ACT

Repealing the act of June 22, 1935 (P.L.446, No.187), entitled "An act relating to the playing of certain sports on Sunday; prohibiting such sports on Sunday before certain hours, and also after certain hours where the electors of a municipality or township vote against the same; providing for referendums to ascertain the will of the electors; changing the hours during which certain sports may be conducted, staged, and played, where the electors are in favor of the same; providing penalties; and repealing inconsistent laws."

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

Section 1. The act of June 22, 1935 (P.L.446, No.187), referred to as the Sunday Polo Act, is repealed:

[AN ACT

Relating to the playing of certain sports on Sunday; prohibiting such sports on Sunday before certain hours, and also after certain hours where the electors of a municipality or township vote against the same; providing for referendums to ascertain the will of the electors; changing the hours during which certain sports may be conducted, staged, and played, where the electors are in favor of the same; providing penalties; and repealing inconsistent laws.

Section 1. Be it enacted, &c., That the word "municipality," as used in this act, shall be construed to include every city, borough, town, and township of this Commonwealth.

Section 2. It shall be unlawful for any person, copartnership, association, or corporation to stage or engage in the playing of the game of polo, regardless whether a charge or admission thereto is made, or whether labor or business is necessary to conduct or stage the same, on the first day of the week, commonly called Sunday, before the hour of one o'clock postmeridian and after the hour of seven o'clock postmeridian.

It shall not be unlawful for any person, copartnership, association, or corporation to stage or engage in playing the game of polo, regardless whether a charge or an admission thereto or incidental thereto is made, or whether labor or business is necessary to conduct or stage the same, on the first day of the week, commonly called Sunday, after the hour of one o'clock postmeridian and before the hour of seven o'clock postmeridian, unless the voters in the municipality have first voted against the playing of polo on Sunday during such hours. In any municipality wherein the voters have voted against the playing of polo on Sunday, it shall be unlawful thereafter to stage or engage in the playing of said game on Sunday between the hours of one o'clock postmeridian and seven o'clock postmeridian.

Any person, copartnership, association, or corporation violating any of the provisions of this section shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine not exceeding one hundred dollars (\$100), and, in default of the payment of such fine and costs of prosecution, such

person, or any member or agent of any copartnership or association, or any officer or agent of any corporation, responsible for such violation, shall be imprisoned for a period of not more than ten days.

Section 3. At any general or municipal election, there may be submitted, in the manner hereinafter provided, a question to determine the will of the electors of any municipality in this Commonwealth with respect to the playing of polo on Sunday between the hours of one o'clock postmeridian and seven o'clock postmeridian. Whenever electors, equal in number to at least five per centum of the highest vote cast for any office in the municipality at the last preceding general or municipal election, shall, in writing, petition the corporate authorities of any municipality to cause a question to be submitted to the electors of such municipality at any general or municipal election occurring at least sixty days after the filing of such petition, the corporate authorities shall, if the petition is sufficiently signed, certify the same to the county commissioners, who shall cause such question to be submitted to the electors of said municipality at said general or municipal election. Such question shall be in the following form--

Do you oppose the playing of polo  
on Sunday between the hours of one o'clock postmeridian and seven o'clock  
postmeridian? YES  
NO

The said question shall be printed on separate official ballots, in bound form, by the county commissioners of each county, and sufficient number of ballots shall be furnished to the election officers in each election district of the county so that one ballot may be supplied to each voter at such election. In districts where voting machines are used, such question shall appear on the face of the machine where the machine is properly equipped for such purposes.

Section 4. The votes cast on such question shall be counted by the election officers and returns thereof made by them, and by election officers where voting machines are used, to the prothonotary of the county, who shall lay the same before the return board for computation at the same time and in the same manner as other returns. The return board shall compute the said returns and certify the results of the vote cast on the question to the corporate authorities of the municipality.

Any such election shall be governed by the election laws of the Commonwealth, and all penalties provided by said laws shall apply to such elections.

Section 5. In any municipality the will of the electors with respect to the playing of the game of polo on Sunday between the hours of one o'clock postmeridian and seven o'clock postmeridian may, after a prior referendum, but not oftener than once in three years, be ascertained at a general or municipal election, and the question, as provided in this act, shall be submitted to the electors of any municipality upon demand, in writing, of petitioners in the manner provided in section three hereof. After any such vote, the playing of the game of polo on Sunday, after the hour of one o'clock postmeridian and before the hour of seven o'clock postmeridian, shall be lawful or unlawful under section two of this act in accordance with the findings as expressed by the voters at such election.

Section 6. Where, by the provisions of existing law, it is lawful to conduct, stage, and play any sport other than polo on Sunday between the hours of two o'clock postmeridian and six

o'clock postmeridian, it shall hereafter be lawful to conduct, stage, and play such sports between the hours of one o'clock postmeridian and seven o'clock postmeridian, but only in a municipality wherein the electors have heretofore voted in favor of the conducting, staging, and playing of such sports on Sunday between the hours of two o'clock postmeridian and six o'clock postmeridian, or wherein the electors shall hereafter vote in favor of the conducting, staging, and playing of such sports on Sunday between the hours of one o'clock postmeridian and seven o'clock postmeridian.

Section 7. Whenever in this act time is referred to the same shall be construed to mean "eastern standard time," except during the period commencing the last Sunday in April and ending with the last Sunday of September of each year, during which period such reference shall be construed to mean "eastern daylight saving time," in those municipalities where daylight saving time is the customary time in common use during such period.

Section 8. Section one of the act, approved the twenty-second day of April, one thousand seven hundred and ninety-four (Three Smith Laws, one hundred seventy-seven), entitled "An act for the prevention of vice and immorality, and of unlawful gaming, and to restrain disorderly sports and dissipation," be and the same is hereby repealed, insofar as it prohibits the playing of the game of polo on Sunday between the hours of two o'clock postmeridian and seven o'clock postmeridian.

All other acts and parts of acts inconsistent with this act are hereby repealed.

Section 9. This act shall become effective immediately upon final enactment.]

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

APPROVED--The 1st day of July, A.D. 2020.

TOM WOLF