
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 153

Session of
1975

INTRODUCED BY MESSRS. IRVIS, DORR, GEESEY, PERRY, S. E. HAYES
JR., WILSON AND A. C. FOSTER JR., JANUARY 28, 1975

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, JUNE 23, 1975

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, ~~PROVIDING FOR ELECTION~~ <—
13 ~~AT LARGE OF ALL SCHOOL DIRECTORS BEGINNING IN 1977~~ and
14 providing an exception for police officers to be within a
15 certain distance of a polling place.

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

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

22 Section 502. Court to Create New Election Districts.--

23 Subject to the provisions of section 501 of this act, the court

1 of quarter sessions of the county in which the same are located,
2 may form or create new election districts by dividing or
3 redividing any borough, township, ward or election district into
4 two or more election districts of compact and contiguous
5 territory, or alter the bounds of any election district, or form
6 an election district out of two or more adjacent districts or
7 parts of districts, or consolidate adjoining election districts,
8 so as to suit the convenience of the electors and to promote the
9 public interests. Election districts so formed shall contain
10 between six hundred (600) and eight hundred (800) registered
11 electors as nearly as may be. No election district shall be
12 formed that shall contain less than one hundred (100) registered
13 electors. ~~The regions of school districts divided into three or~~ <—
14 ~~nine regions~~ WHEN A SCHOOL DISTRICT CROSSES COUNTY LINES, THE <—
15 REGIONS OF THE SCHOOL DISTRICT shall be composed of contiguous
16 election districts.

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

19 Section 1207. Peace Officers; No Police Officer to Be Within
20 One Hundred Feet of Polling Place; Exceptions; Presence of
21 Soldiers Prohibited.--The constable of each borough, township or
22 ward, or his deputy shall be present at the polling place in
23 each election district of such borough, township or ward at each
24 primary and election during the continuance thereof, and while
25 the votes are being counted, for the purpose of preserving the
26 peace, and shall serve at all elections for which services the
27 said constable and each of such deputies performing such
28 services shall receive the same compensation payable to
29 inspectors and clerks under section 412 (a) of this act which
30 shall be paid by the county. Such sum shall include pay for

1 serving notices in writing to persons elected at such election.
2 The election officers, or any three qualified electors of any
3 election district, may call upon any mayor, chief burgess,
4 sheriff, deputy sheriff, constable, deputy constable, or police
5 officer, to clear an avenue to the door of any polling place
6 which is obstructed in such a way as to prevent electors from
7 approaching, or to maintain order and quell any disturbance, if
8 such arises. No police officer in commission, whether in uniform
9 or in citizen's clothes, shall be within one hundred feet of a
10 polling place during the conduct of any primary or election,
11 unless in the exercise of his privilege of voting, or for the
12 purpose of serving warrants, or unless called upon to preserve
13 the peace, as provided by this act: Provided, however, That such
14 prohibition shall not apply to such police officers assigned to
15 a police station or headquarters located in a building or on the
16 premises where the polling place is located and such police
17 officers must be within one hundred (100) feet of the polling
18 place to enter and exit such police station or headquarters: And
19 provided further, That in no event may any police officer
20 unlawfully use or practice any intimidation, threats, force or
21 violence nor, in any manner, unduly influence or overawe any
22 elector or prevent him from voting or restrain his freedom of
23 choice, nor may any such police officer electioneer or directly
24 or indirectly attempt to influence the election or electors
25 while within one hundred (100) feet of a polling place as herein
26 set forth: And provided further, That where polling places are
27 located in buildings or on premises where a police station or
28 headquarters are located, the polling place shall be located in
29 a separate room. No body of troops in the Army of the United
30 States or of this Commonwealth shall be present, either armed or

1 unarmed, at any place of election within this Commonwealth
2 during the time of any primary or election: Provided, however,
3 That no officer or soldier shall be prevented from exercising
4 the right of suffrage in the election district in which he
5 resides, if otherwise qualified.

6 Section 3. Section 1820 of the act is amended to read:

7 Section 1820. Police Officers at Polling Places.--Any police
8 officer in commission, whether in uniform or in citizen's
9 clothes, who shall be within one hundred (100) feet of a polling
10 place during the conduct of any primary or election, except in
11 the exercise of his privilege of voting or for the purpose of
12 serving warrants, or in accordance with the provisions of the
13 exception set forth in section 1207 of this act where the police
14 station or headquarters is located in the same building or on
15 the premises where the polling place is located or unless called
16 upon to preserve the peace, as provided by this act, shall be
17 guilty of a misdemeanor, and, upon conviction thereof, shall be
18 sentenced to pay a fine not exceeding five hundred (\$500)
19 dollars, or to undergo an imprisonment of not more than one (1)
20 year, or both, in the discretion of the court.

21 Section 4. Any school district WHICH CROSSES COUNTY LINES <—
22 AND in which regions are composed of non-contiguous election
23 districts shall be reapportioned. If a school district is not
24 reapportioned within six months after enactment hereof, the
25 court of common pleas of the county in which the largest part in
26 land area of the school district is located shall form new
27 regions in the manner provided for the formation of election
28 districts. SCHOOL DIRECTORS ELECTED IN 1975 AND INCUMBENT SCHOOL <—
29 DIRECTORS SHALL SERVE THE TERMS FOR WHICH THEY WERE ELECTED;
30 THEIR SUCCESSORS SHALL BE ELECTED IN ACCORDANCE WITH THE

1 REAPPORTIONED REGIONS.

2 ~~BEGINNING WITH THE PRIMARY AND MUNICIPAL ELECTIONS IN 1977,~~ <—

3 ~~ALL SCHOOL DIRECTORS SHALL BE ELECTED AT LARGE WITHIN THE SCHOOL~~

4 ~~DISTRICTS FOR WHICH THEY ARE ELECTED.~~

5 Section 5. This act shall take effect immediately.