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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL  
No. 153

Session of  
1975

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

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AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JULY 1, 1975

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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 FURTHER~~ <—  
14 PROVIDING FOR CONTRIBUTIONS BY CORPORATIONS, UNINCORPORATED  
15 ASSOCIATIONS OR UNIONS and providing an exception for police  
16 officers to be within a certain distance of a polling place.

17 The General Assembly of the Commonwealth of Pennsylvania

18 hereby enacts as follows:

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

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

24 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 1605 OF THE ACT IS AMENDED BY ADDING  
7 SUBSECTIONS TO READ:

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8 SECTION 1605. CONTRIBUTIONS FOR ELECTION EXPENSES TO BE MADE  
9 TO CANDIDATES OR TREASURERS; CONTRIBUTIONS BY CORPORATIONS AND  
10 UNINCORPORATED ASSOCIATIONS PROHIBITED.--

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12 (C) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B), ANY  
13 CORPORATION, UNINCORPORATED ASSOCIATION OR UNION MAY MAKE  
14 CONTRIBUTIONS INCLUDING EXPENDITURES IN KIND, NOT OTHERWISE  
15 PROHIBITED BY LAW, FOR POLITICAL PURPOSES IN AN AMOUNT NOT TO  
16 EXCEED FIVE THOUSAND (\$5,000) DOLLARS IN THE AGGREGATE IN ANY  
17 CALENDAR YEAR.

18 (D) NEITHER THE PROVISIONS OF THIS SECTION NOR THE  
19 PROVISIONS OF SECTION 1604(A), OR ANY OTHER PROVISIONS OF THE  
20 LAWS OF THIS COMMONWEALTH SHALL BE DEEMED TO PROHIBIT  
21 CORPORATIONS, UNINCORPORATED ASSOCIATIONS OR UNIONS FROM  
22 ESTABLISHING, ADMINISTERING AND SOLICITING CONTRIBUTIONS TO  
23 SEPARATE SEGREGATED FUNDS TO BE UTILIZED BY SUCH CORPORATIONS,  
24 UNINCORPORATED ASSOCIATIONS, OR UNIONS FOR FEDERAL, STATE AND  
25 LOCAL POLITICAL PURPOSES. A SEPARATE SEGREGATED FUND AS PROVIDED  
26 IN THIS SECTION SHALL NOT BE DEEMED TO BE A POLITICAL COMMITTEE  
27 WITHIN THE MEANING OF THIS CODE.

28 Section 3 4. Section 1820 of the act is amended to read:

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29 Section 1820. Police Officers at Polling Places.--Any police  
30 officer in commission, whether in uniform or in citizen's

1 clothes, who shall be within one hundred (100) feet of a polling  
2 place during the conduct of any primary or election, except in  
3 the exercise of his privilege of voting or for the purpose of  
4 serving warrants, or in accordance with the provisions of the  
5 exception set forth in section 1207 of this act where the police  
6 station or headquarters is located in the same building or on  
7 the premises where the polling place is located or unless called  
8 upon to preserve the peace, as provided by this act, shall be  
9 guilty of a misdemeanor, and, upon conviction thereof, shall be  
10 sentenced to pay a fine not exceeding five hundred (\$500)  
11 dollars, or to undergo an imprisonment of not more than one (1)  
12 year, or both, in the discretion of the court.

13 Section 4 5. Any school district WHICH CROSSES COUNTY LINES <—  
14 AND in which regions are composed of non-contiguous election  
15 districts shall be reapportioned. If a school district is not  
16 reapportioned within six months after enactment hereof, the  
17 court of common pleas of the county in which the largest part in  
18 land area of the school district is located shall form new  
19 regions in the manner provided for the formation of election  
20 districts. SCHOOL DIRECTORS ELECTED IN 1975 AND INCUMBENT SCHOOL <—  
21 DIRECTORS SHALL SERVE THE TERMS FOR WHICH THEY WERE ELECTED;  
22 THEIR SUCCESSORS SHALL BE ELECTED IN ACCORDANCE WITH THE  
23 REAPPORTIONED REGIONS.

24 ~~BEGINNING WITH THE PRIMARY AND MUNICIPAL ELECTIONS IN 1977,~~ <—  
25 ~~ALL SCHOOL DIRECTORS SHALL BE ELECTED AT LARGE WITHIN THE SCHOOL~~  
26 ~~DISTRICTS FOR WHICH THEY ARE ELECTED.~~

27 Section 5 6. This act shall take effect immediately. <—