

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 148 Session of 2015

INTRODUCED BY MALONEY, METCALFE, PASHINSKI, SACCONI, KNOWLES, BAKER, BARRAR, WATSON, JAMES, READSHAW, BIZZARRO, TALLMAN, GABLER, MILLARD, SAYLOR, SANTORA, DeLUCA, CONKLIN, D. COSTA AND HICKERNELL, JANUARY 21, 2015

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 21, 2015

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," in penalties, further prohibiting duress and  
 12 intimidation of voters and interference with the free  
 13 exercise of the elective franchise.

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

16 Section 1. Section 1847 of the act of June 3, 1937  
 17 (P.L.1333, No.320), known as the Pennsylvania Election Code,  
 18 amended February 13, 1998 (P.L.72, No.18), is amended to read:

19 Section 1847. Prohibiting Duress and Intimidation of Voters  
 20 and Interference with the Free Exercise of the Elective  
 21 Franchise.--Any person or corporation who, directly or  
 22 indirectly--(a) uses or threatens to use any force, violence or

1 restraint, or inflicts or threatens to inflict any injury,  
2 damage, harm or loss, or in any other manner practices  
3 intimidation or coercion upon or against any person, in order to  
4 induce or compel such person to vote or refrain from voting at  
5 any election, or to vote or refrain from voting for or against  
6 any particular person, or for or against any question submitted  
7 to voters at such election, or to place or cause to be placed or  
8 refrain from placing or causing to be placed his name upon a  
9 register of voters, or on account of such person having voted or  
10 refrained from voting at such election, or having voted or  
11 refrained from voting for or against any particular person or  
12 persons or for or against any question submitted to voters at  
13 such election, or having registered or refrained from  
14 registering as a voter; or (b) by abduction, duress or coercion,  
15 or any forcible or fraudulent device or contrivance, whatever,  
16 impedes, prevents, or otherwise interferes with the free  
17 exercise of the elective franchise by any voter, or compels,  
18 induces, or prevails upon any voter to give or refrain from  
19 giving his vote for or against any particular person at any  
20 election; or (c) being an employer, pays his employes the salary  
21 or wages due in "pay envelopes" upon which or in which there is  
22 written or printed any political motto, device, statement or  
23 argument containing threats, express or implied, intended or  
24 calculated to influence the political opinions or actions of  
25 such employes, or within ninety days of any election or primary  
26 puts or otherwise exhibits in the establishment or place where  
27 his employes are engaged in labor, any handbill or placard  
28 containing any threat, notice, or information that if any  
29 particular ticket or candidate is elected or defeated work in  
30 his place or establishment will cease, in whole or in part, his

1 establishment be closed up, or the wages of his employes  
2 reduced, or other threats, express or implied, intended or  
3 calculated to influence the political opinions or actions of his  
4 employes, shall be guilty of a misdemeanor of the [second] first  
5 degree. Any person or corporation, convicted of a violation of  
6 any of the provisions of this section, shall be sentenced to pay  
7 a fine not exceeding [five thousand (\$5,000)] ten thousand  
8 (\$10,000) dollars, or such person or the officers, directors or  
9 agents of such corporation responsible for the violation of this  
10 section, shall be sentenced to undergo an imprisonment of not  
11 more than [two (2)] five (5) years, or both, in the discretion  
12 of the court.

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