

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 171 Session of 2017

INTRODUCED BY SACCONI, ROTHMAN, DUNBAR, MILLARD, BARRAR, WARD, SIMMONS, B. MILLER AND GABLER, JANUARY 23, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 23, 2017

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 district election officers, further providing
 12 for appointment of watchers.

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

15 Section 1. Section 417(b) of the act of June 3, 1937
 16 (P.L.1333, No.320), known as the Pennsylvania Election Code, is
 17 amended to read:

18 Section 417. Appointment of Watchers.--

19 * * *

20 (b) Each watcher so appointed must be a qualified registered
 21 elector of [the county in which the election district for which
 22 the watcher was appointed is located] this Commonwealth. Each
 23 watcher so appointed shall be authorized to serve in the

1 election district for which the watcher was appointed and, when
2 the watcher is not serving in the election district for which
3 the watcher was appointed, in any other election district [in
4 the county in which the watcher is a qualified registered
5 elector] located in the same county as the election district to
6 which the watcher is appointed: Provided, That only one watcher
7 for each candidate at primaries, or for each party or political
8 body at general, municipal or special elections, shall be
9 present in the polling place at any one time from the time that
10 the election officers meet prior to the opening of the polls
11 under section 1208 until the time that the counting of votes is
12 complete and the district register and voting check list is
13 locked and sealed, and all watchers in the room shall remain
14 outside the enclosed space. It shall not be a requirement that a
15 watcher be a resident of the election district for which the
16 watcher is appointed. After the close of the polls and while the
17 ballots are being counted or voting machine canvassed, all the
18 watchers shall be permitted to be in the polling place outside
19 the enclosed space. Each watcher shall be provided with a
20 certificate from the county board of elections, stating his name
21 and the name of the candidate, party or political body he
22 represents. Watchers shall be required to show their
23 certificates when requested to do so. Watchers allowed in the
24 polling place under the provisions of this act, shall be
25 permitted to keep a list of voters and shall be entitled to
26 challenge any person making application to vote and to require
27 proof of his qualifications, as provided by this act. During
28 those intervals when voters are not present in the polling place
29 either voting or waiting to vote, the judge of elections shall
30 permit watchers, upon request, to inspect the voting check list

1 and either of the two numbered lists of voters maintained by the
2 county board: Provided, That the watcher shall not mark upon or
3 alter these official election records. The judge of elections
4 shall supervise or delegate the inspection of any requested
5 documents.

6 * * *

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