
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1379 Session of
2019

INTRODUCED BY RIGBY, SCHMITT, POLINCHOCK, ULLMAN, RYAN, REESE,
JAMES, JOZWIAK, BERNSTINE, GROVE, MILLARD, NEILSON, OWLETT,
ZIMMERMAN, OBERLANDER AND KEEFER, MAY 1, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 1, 2019

AN ACT

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

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

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13 referred to as the Sunday Polo Act, is repealed:

14 [AN ACT

15 Relating to the playing of certain sports on Sunday; prohibiting
16 such sports on Sunday before certain hours, and also after
17 certain hours where the electors of a municipality or
18 township vote against the same; providing for referendums to
19 ascertain the will of the electors; changing the hours during
20 which certain sports may be conducted, staged, and played,
21 where the electors are in favor of the same; providing

1 penalties; and repealing inconsistent laws.

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

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

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

21 In any municipality wherein the voters have voted against the
22 playing of polo on Sunday, it shall be unlawful thereafter to
23 stage or engage in the playing of said game on Sunday between
24 the hours of one o'clock postmeridian and seven o'clock
25 postmeridian.

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

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

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

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

26 The said question shall be printed on separate official
27 ballots, in bound form, by the county commissioners of each
28 county, and sufficient number of ballots shall be furnished to
29 the election officers in each election district of the county so
30 that one ballot may be supplied to each voter at such election.

1 In districts where voting machines are used, such question shall
2 appear on the face of the machine where the machine is properly
3 equipped for such purposes.

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

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

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

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

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

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

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

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

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

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