

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1643 Session of 2019

INTRODUCED BY CRUZ, CALTAGIRONE, HILL-EVANS AND KIRKLAND,
JUNE 17, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 17, 2019

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 the Secretary of the Commonwealth, further
 12 providing for powers and duties of the Secretary of the
 13 Commonwealth; and, in district election officers, further
 14 providing for appointment of watchers.

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

17 Section 1. Section 201 of the act of June 3, 1937 (P.L.1333,
 18 No.320), known as the Pennsylvania Election Code, is amended by
 19 adding a subsection to read:

20 Section 201. Powers and Duties of the Secretary of the
 21 Commonwealth.--The Secretary of the Commonwealth shall exercise
 22 in the manner provided by this act all powers granted to him by
 23 this act, and shall perform all the duties imposed upon him by
 24 this act, which shall include the following:

1 * * *

2 (f.3) To develop a mandatory professional certification and
3 poll watcher training program for use by county election
4 officials in consultation with county boards. Each poll watcher
5 shall attend at least one training class provided by the county
6 of residence before each election at which the poll watcher will
7 serve. A certificate of training shall be provided to a poll
8 watcher at the successful completion of training. The
9 certificate must be presented by the poll watcher at the polling
10 place before poll watching to verify training.

11 * * *

12 Section 2. Section 417(b) of the act is amended to read:

13 Section 417. Appointment of Watchers.--

14 * * *

15 (b) Each watcher so appointed must be a qualified registered
16 elector of the county in which the election district for which
17 the watcher was appointed is located. Each watcher so appointed
18 shall be authorized to serve only in the election district for
19 which the watcher was appointed [and, when the watcher is not
20 serving in the election district for which the watcher was
21 appointed, in any other election district in the county in which
22 the watcher is a qualified registered elector]: Provided, That
23 only one watcher for each candidate at primaries, or for each
24 party or political body at general, municipal or special
25 elections, shall be present in the polling place at any one time
26 from the time that the election officers meet prior to the
27 opening of the polls under section 1208 until the time that the
28 counting of votes is complete and the district register and
29 voting check list is locked and sealed, and all watchers in the
30 room shall remain outside the enclosed space. [It shall not be a

1 requirement that a watcher] A watcher must be a resident of the
2 election district for which the watcher is appointed. After the
3 close of the polls and while the ballots are being counted or
4 voting machine canvassed, all the watchers shall be permitted to
5 be in the polling place outside the enclosed space. Each watcher
6 shall be provided with a certificate from the county board of
7 elections, stating his name and the name of the candidate, party
8 or political body he represents. Watchers shall be required to
9 show their certificates when requested to do so. Watchers
10 allowed in the polling place under the provisions of this act,
11 shall be permitted to keep a list of voters and shall be
12 entitled to challenge any person making application to vote and
13 to require proof of his qualifications, as provided by this act.
14 During those intervals when voters are not present in the
15 polling place either voting or waiting to vote, the judge of
16 elections shall permit watchers, upon request, to inspect the
17 voting check list and either of the two numbered lists of voters
18 maintained by the county board: Provided, That the watcher shall
19 not mark upon or alter these official election records. The
20 judge of elections shall supervise or delegate the inspection of
21 any requested documents.

22 * * *

23 Section 3. This act shall take effect in 60 days.