

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2163 Session of
2021

INTRODUCED BY SILVIS, ARMANINI, BROOKS, COOK, DIAMOND,
M. MACKENZIE, R. MACKENZIE, MOUL AND RADER, DECEMBER 13, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 13, 2021

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]. Each watcher so appointed
23 shall be authorized to serve in the election district for which

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

1 alter these official election records. The judge of elections
2 shall supervise or delegate the inspection of any requested
3 documents.

4 * * *

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