

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2163 Session of 2021

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

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JANUARY 10, 2022

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 417(b) of the act of June 3, 1937~~ <--
18 ~~(P.L.1333, No.320), known as the Pennsylvania Election Code, is~~
19 ~~amended to read:~~

20 SECTION 1. SECTION 201 OF THE ACT OF JUNE 3, 1937 (P.L.1333, <--
21 NO.320), KNOWN AS THE PENNSYLVANIA ELECTION CODE, IS AMENDED BY
22 ADDING A SUBSECTION TO READ:

23 SECTION 201. POWERS AND DUTIES OF THE SECRETARY OF THE

1 COMMONWEALTH.--THE SECRETARY OF THE COMMONWEALTH SHALL EXERCISE
2 IN THE MANNER PROVIDED BY THIS ACT ALL POWERS GRANTED TO HIM BY
3 THIS ACT, AND SHALL PERFORM ALL THE DUTIES IMPOSED UPON HIM BY
4 THIS ACT, WHICH SHALL INCLUDE THE FOLLOWING:

5 * * *

6 (F.3) TO DEVELOP AND OFFER A MANDATORY TRAINING FOR
7 WATCHERS.

8 * * *

9 SECTION 2. SECTION 417(B) OF THE ACT IS AMENDED TO READ:

10 Section 417. Appointment of Watchers.--

11 * * *

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

1 the watchers shall be permitted to be in the polling place
2 outside the enclosed space. Each watcher shall be provided with
3 a certificate from the county board of elections, stating his
4 name and the name of the candidate, party or political body he
5 represents. Watchers shall be required to show their
6 certificates when requested to do so. WATCHERS SHALL BE REQUIRED <--
7 TO COMPLETE THE TRAINING DEVELOPED AND OFFERED BY THE DEPARTMENT
8 OF STATE WITHOUT COST TO A WATCHER. Watchers allowed in the
9 polling place under the provisions of this act, shall be
10 permitted to keep a list of voters and shall be entitled to
11 challenge any person making application to vote and to require
12 proof of his qualifications, as provided by this act. During
13 those intervals when voters are not present in the polling place
14 either voting or waiting to vote, the judge of elections shall
15 permit watchers, upon request, to inspect the voting check list
16 and either of the two numbered lists of voters maintained by the
17 county board: Provided, That the watcher shall not mark upon or
18 alter these official election records. The judge of elections
19 shall supervise or delegate the inspection of any requested
20 documents.

21 * * *

22 Section 2 3. This act shall take effect in 60 days. <--