

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1830 Session of 2013

INTRODUCED BY MALONEY, METCALFE, SACCONI, MILLARD, JAMES, HAGGERTY, KAUFFMAN, MURT, BARRAR, GODSHALL, SWANGER AND DENLINGER, NOVEMBER 13, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 13, 2013

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 penalties, further prohibiting duress and  
 12 intimidation of voters and interference with the free  
 13 exercise of the elective franchise.

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

16 Section 1. Section 1847 of the act of June 3, 1937  
 17 (P.L.1333, No.320), known as the Pennsylvania Election Code,  
 18 amended February 13, 1998 (P.L.72, No.18), is amended to read:

19 Section 1847. Prohibiting Duress and Intimidation of Voters  
 20 and Interference with the Free Exercise of the Elective  
 21 Franchise.--Any person or corporation who, directly or  
 22 indirectly--(a) uses or threatens to use any force, violence or  
 23 restraint, or inflicts or threatens to inflict any injury,

1 damage, harm or loss, or in any other manner practices  
2 intimidation or coercion upon or against any person, in order to  
3 induce or compel such person to vote or refrain from voting at  
4 any election, or to vote or refrain from voting for or against  
5 any particular person, or for or against any question submitted  
6 to voters at such election, or to place or cause to be placed or  
7 refrain from placing or causing to be placed his name upon a  
8 register of voters, or on account of such person having voted or  
9 refrained from voting at such election, or having voted or  
10 refrained from voting for or against any particular person or  
11 persons or for or against any question submitted to voters at  
12 such election, or having registered or refrained from  
13 registering as a voter; or (b) by abduction, duress or coercion,  
14 or any forcible or fraudulent device or contrivance, whatever,  
15 impedes, prevents, or otherwise interferes with the free  
16 exercise of the elective franchise by any voter, or compels,  
17 induces, or prevails upon any voter to give or refrain from  
18 giving his vote for or against any particular person at any  
19 election; or (c) being an employer, pays his employes the salary  
20 or wages due in "pay envelopes" upon which or in which there is  
21 written or printed any political motto, device, statement or  
22 argument containing threats, express or implied, intended or  
23 calculated to influence the political opinions or actions of  
24 such employes, or within ninety days of any election or primary  
25 puts or otherwise exhibits in the establishment or place where  
26 his employes are engaged in labor, any handbill or placard  
27 containing any threat, notice, or information that if any  
28 particular ticket or candidate is elected or defeated work in  
29 his place or establishment will cease, in whole or in part, his  
30 establishment be closed up, or the wages of his employes

1 reduced, or other threats, express or implied, intended or  
2 calculated to influence the political opinions or actions of his  
3 employes, shall be guilty of a misdemeanor of the [second] first  
4 degree. Any person or corporation, convicted of a violation of  
5 any of the provisions of this section, shall be sentenced to pay  
6 a fine not exceeding [five thousand (\$5,000)] ten thousand  
7 (\$10,000) dollars, or such person or the officers, directors or  
8 agents of such corporation responsible for the violation of this  
9 section, shall be sentenced to undergo an imprisonment of not  
10 more than [two (2)] five (5) years, or both, in the discretion  
11 of the court.

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