

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2160 Session of 2024

INTRODUCED BY SAPPEY, FREEMAN, SMITH-WADE-EL, JAMES AND MOUL,
MARCH 26, 2024

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 26, 2024

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled
2 "An act concerning townships of the first class; amending,
3 revising, consolidating, and changing the law relating
4 thereto," in election of officers and vacancies in office,
5 further providing for vacancies in general.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 530(a.1) introductory paragraph, (b),
9 (b.1) and (b.2) of the act of June 24, 1931 (P.L.1206, No.331),
10 known as The First Class Township Code, are amended to read:

11 Section 530. Vacancies in General.--* * *

12 (a.1) [The] Except as provided under subsection (b.2), the
13 following shall apply:

14 * * *

15 (b) [If the board of commissioners of any township shall
16 refuse, fail, or neglect, or be unable for any reason
17 whatsoever, to fill a vacancy within thirty (30) days after the
18 vacancy occurs, then the vacancy board shall fill the vacancy
19 within fifteen (15) additional days by appointing a registered

1 elector of the township or ward in which the vacancy occurs.]

2 The following apply:

3 (1) A vacancy board shall be convened to fill a vacancy
4 within fifteen (15) days if the board of commissioners of a
5 township, for any reason, fails to fill a vacancy after thirty
6 (30) days. The board of commissioners may vote to convene the
7 vacancy board within thirty (30) days of a vacancy if the board
8 of commissioners is unable, for any reason, to fill the vacancy
9 and shall provide a justification at a public meeting.

10 (2) The vacancy board shall consist of the board of
11 commissioners and one registered elector of the township, who
12 shall be appointed by the board of commissioners at the board's
13 first meeting each calendar year or as soon thereafter as
14 practical.

15 (3) The registered elector shall act as chairperson of the
16 vacancy board and shall serve as the chairperson until the
17 chairperson's successor is appointed.

18 (b.1) [If the] The vacancy board [does not fill the vacancy
19 within fifteen (15) days, the] chairperson shall, or in the case
20 of a vacancy in the chairpersonship the remaining members of the
21 vacancy board shall, petition the court of common pleas to fill
22 the vacancy by appointing a registered elector of the township
23 or ward, in which the vacancy occurs[.] if one of the following
24 occur:

25 (1) the vacancy board fails to fill the position within
26 fifteen (15) days; or

27 (2) the position of vacancy board chairperson is vacant and
28 the remaining members of the vacancy board provide justification
29 for the reason the vacancy board is not able to fill the
30 position sooner than fifteen (15) days and vote publicly to

1 disband.

2 (b.2) [If] Notwithstanding any other subsections in this
3 section, if there are vacancies in a majority of the offices of
4 commissioners, the court of common pleas shall fill the
5 vacancies upon presentation of a petition signed by [not less
6 than] the remaining commissioners or at least fifteen (15)
7 registered electors of the township. A resignation that
8 precludes a majority of commissioners from accepting the
9 resignation shall create a vacancy on the date specified in the
10 tendered resignation or, if no date is specified, the second
11 business day after the day the resignation is tendered, unless
12 sooner withdrawn in writing.

13 * * *

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