

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1185 Session of  
1975

INTRODUCED BY GALLAGHER, BERLIN, GARZIA, DOYLE, O'KEEFE,  
STAPLETON AND GILLESPIE, APRIL 30, 1975

REFERRED TO COMMITTEE ON LAW AND JUSTICE, MAY 5, 1975

AN ACT

1 Amending the act of May 3, 1850 (P.L.654, No.385), entitled "An  
2 act providing for the election of district attorneys,"  
3 further providing for the filling of vacancies in the office  
4 of district attorney.

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

7 Section 1. Section 3, act of May 3, 1850 (P.L.654, No.385),  
8 entitled "An act providing for the election of district  
9 attorneys," repealed in part July 28, 1953 (P.L.723, No.230),  
10 and August 9, 1955 (P.L.323, No.130), is amended to read:

11 Section 3. All elections of district attorneys shall be  
12 contested and decided in the same manner as is now provided by  
13 law for contesting the election of county officers; and if any  
14 vacancy shall occur, either by death, resignation, removal from  
15 office or from the county, or otherwise, the [judges of the  
16 court of common pleas] Governor, with the advice and consent of  
17 the Senate shall supply such vacancy, by the appointment of a  
18 competent person to fill the office until the next general  
19 election: Provided, Such vacancy happens thirty days before; if

1 not, then until the next general election thereafter, and until  
2 a successor is duly elected and qualified.

3 Section 2. This act shall take effect immediately.