
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1069 Session of
1977

INTRODUCED BY FRYER, WEIDNER, RUGGIERO, COLE, MORRIS, MELUSKEY,
GARZIA, LEVI, ABRAHAM, TRELLO, BRANDT, LOGUE, LIVENGOD,
A. C. FOSTER JR. AND DeMEDIO, MAY 2, 1977

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 2, 1977

AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled "An
2 act concerning townships of the second class; and amending,
3 consolidating, and changing the law relating thereto,"
4 changing the method of filling vacancies in certain township
5 offices.

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

8 Section 1. Section 420, act of May 1, 1933 (P.L.103, No.69),
9 known as "The Second Class Township Code," reenacted and amended
10 July 10, 1947 (P.L.1481, No.567) and amended October 21, 1975
11 (P.L.428, No.120), is amended to read:

12 Section 420. [Supervisors] Vacancies in General.--If the
13 electors of any township shall fail to choose a supervisor, tax
14 collector, auditor or assessor, or if any person elected to such
15 office shall neglect or refuse to serve therein, or if a vacancy
16 shall occur in the office by death, resignation, removal from
17 the township, or otherwise, a majority of the remaining
18 supervisors may appoint a successor who is a registered voter
19 and upon their failure to make such appointment within thirty

1 days after the vacancy occurs, the [court of common pleas shall
2 appoint a successor who is a registered voter, upon the
3 presentation of a petition signed by a supervisor and not less
4 than five registered electors. In either case,] vacancy shall be
5 filled within fifteen additional days by a vacancy board
6 consisting of the board of supervisors and one registered
7 elector of the township, who shall be elected by the board of
8 supervisors at each reorganizational meeting and who shall act
9 as chairman of the vacancy board. If the vacancy board fails to
10 fill the position within the time prescribed, the chairman shall
11 petition the court of common pleas to fill the vacancy. In all
12 cases, the successor so appointed shall hold the office [if the
13 term thereof continues so long,] until the first Monday in
14 January after the first municipal election occurring more than
15 sixty days after the vacancy occurs, at which election an
16 eligible person shall be elected for the unexpired term. [When a
17 vacancy is so filled by a majority of the remaining supervisors
18 they shall, within fifteen days thereafter, certify such
19 appointment to the clerk of the court of common pleas.

20 If the electors of any township shall fail to choose two or
21 more supervisors, or if two or more persons elected to such
22 offices shall neglect or refuse to serve therein, or if
23 vacancies shall occur in two or more such offices by death,
24 resignation, removal from the township, or otherwise, the court
25 of common pleas shall appoint successors upon the presentation
26 of a petition signed by not less than five registered electors.
27 The successors so appointed shall be registered voters and hold
28 the offices, if the terms thereof continue so long, until the
29 first Monday in January after the first municipal election
30 occurring more than sixty days after the vacancy occurs; at

1 which election eligible persons shall be elected for the
2 unexpired terms.]

3 Section 2. Sections 421, 422 and 423 of the act are
4 repealed.

5 Section 3. This act shall take effect in 60 days.