

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1251 Session of
1981

INTRODUCED BY PRATT, COHEN, LETTERMAN, ALDEN AND O'DONNELL,
APRIL 22, 1981

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 22, 1981

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, providing for recall of elected public
3 officers.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of
7 the Commonwealth of Pennsylvania is proposed in accordance with
8 the provisions of Article XI thereof:

9 That Article VII be amended by adding a section to read:

10 ARTICLE VII

11 ELECTIONS

12 § 15. Recall of elective officers; petition; special
13 election.

14 The qualified electors of the Commonwealth or of any
15 political subdivision or of any congressional, judicial or
16 legislative district or school district may petition for the
17 recall of any elective officer after the first year of the term
18 for which he was elected, by filing a petition with the officer

1 with whom the petition for nomination to such office in the
2 primary election is filed, demanding the recall of such officer.
3 Such petition shall be signed by electors equal in number to at
4 least 25% of the vote cast for the office of Governor at the
5 last preceding election for congressional, judicial, State,
6 legislative and county officers, at least 40% of the vote cast
7 for the office of Governor at the last preceding election for
8 all other officers, in the political subdivision or district
9 from which such officer is to be recalled. The officer with whom
10 such petition is filed shall call a recall election to be held
11 in conjunction with the next primary or general election,
12 whichever is earliest but not less than 40 days from the date of
13 filing the petition. The officer against whom such petition has
14 been filed shall continue to perform the duties of his office
15 until the result of such recall election shall have been
16 officially declared. If a majority of electors vote in favor of
17 recall, the office held by the recalled official shall be vacant
18 as of the date the official results are announced. The vacancy
19 shall be filled in the manner provided by law. After one such
20 recall election, no further recall petition shall be filed
21 against the same officer during the term for which he was
22 elected. This section shall be self-executing and all of its
23 provisions shall be treated as mandatory. laws may be enacted to
24 facilitate its operation, but no law shall be enacted to hamper,
25 restrict or impair the right of recall.