

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1024 Session of
2005

INTRODUCED BY EARLL, PILEGGI, PICCOLA, WAUGH, D. WHITE,
M. WHITE, WOZNIAK AND BOSCOLA, NOVEMBER 23, 2005

REFERRED TO LOCAL GOVERNMENT, NOVEMBER 23, 2005

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing, in consolidation
3 and merger of municipalities, for initiative of electors with
4 new home rule charter.

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

7 Section 1. Section 735.1(a) and (g)(1) of Title 53 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 735.1. Initiative of electors seeking consolidation or merger
10 with new home rule charter.

11 (a) General rule.--In order for a commission and
12 consolidation or merger proceedings to be initiated by petition
13 of electors, petitions containing signatures of at least 5% of
14 the aggregate number of electors voting for the office of
15 Governor in the last gubernatorial general election in [each
16 municipality] the municipalities proposed to be consolidated or
17 merged shall be filed with the county board of elections of the
18 county in which the municipality, or the greater portion of its

1 territory, is located.

2 * * *

3 (g) Results of election.--

4 (1) The result of the votes cast for and against the
5 question as to the election of a commission and consolidation
6 and merger proceedings shall be returned by the election
7 officers, and a canvass of the election had, as is provided
8 by law in the case of other public questions put to the
9 electors. The votes cast for members of the commission shall
10 be counted and the result returned by the county board of
11 electors of the county in which the municipality, or the
12 greater portion of its territory, is located, and a canvass
13 of the election had, as is provided by law in the case of
14 election of members of municipal councils or boards. The
15 designated number of candidates receiving the greatest number
16 of votes shall be elected and shall constitute the
17 commission. If [a] an aggregate majority of those voting on
18 the question in the municipalities vote against the election
19 of the commission, none of the candidates shall be elected.
20 If two or more candidates for the last seat shall be equal in
21 number of votes, they shall draw lots to determine which one
22 shall be elected.

23 * * *

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