

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 983 Session of
2011

INTRODUCED BY EICHELBERGER, ROBBINS, ERICKSON, WOZNIAK AND
BLAKE, APRIL 25, 2011

REFERRED TO LOCAL GOVERNMENT, APRIL 25, 2011

AN ACT

1 Amending the act of May 27, 1953 (P.L.249, No.35), entitled "An
2 act providing that the town councils of incorporated towns
3 shall have the right to declare vacant the seats of
4 councilmen or presidents of town councils for failure to
5 qualify and for failure to attend meetings or vote upon
6 questions before the council," repealing provisions relating
7 to nonfeasance in office.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 2 of the act of May 27, 1953 (P.L.249,
11 No.35), entitled "An act providing that the town councils of
12 incorporated towns shall have the right to declare vacant the
13 seats of councilmen or presidents of town councils for failure
14 to qualify and for failure to attend meetings or vote upon
15 questions before the council," amended February 11, 1976
16 (P.L.12, No.9), is repealed:

17 [Section 2. Whenever any member of the town council or the
18 president of the town council of any incorporated town shall
19 neglect or refuse to attend two successive regular meetings,
20 unless detained by sickness or prevented by necessary absence

1 from the town; or if a councilman in attendance at any meeting
2 shall neglect or refuse to vote or by his withdrawal from
3 council or otherwise refuse to act in his official capacity as a
4 member of council; or if the president of the town council in
5 attendance at any meeting shall neglect or refuse to cast the
6 deciding vote; the town council acting without such person may
7 declare his office as member of the town council or president of
8 the town council vacant and such vacancy shall be filled by the
9 town council, by appointing, by resolution, a registered elector
10 of the town, to hold such office, if the term thereof continues
11 so long, until the first Monday in January after the first
12 municipal election occurring more than sixty days after the
13 vacancy occurs, at which election an eligible person shall be
14 elected to the office for the remainder of the term. For such
15 actions a majority of the remaining members of the town council
16 shall constitute a quorum.]

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