

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1444 Session of 2019

INTRODUCED BY WALSH, SIMMONS, WARNER, BERNSTINE, MILLARD, MALONEY, IRVIN, ZIMMERMAN, REESE, CIRESI, NELSON AND DOWLING, MAY 13, 2019

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 12, 2019

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, in local government, providing for
3 attendance at public meetings REMOVAL OF MUNICIPAL 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 Pennsylvania is proposed in accordance with Article XI:

8 That Article IX be amended by adding a section to read:

9 § 15. Attendance at public meetings. <--

10 (a) A member of the governing body of a unit of local
11 government shall attend a minimum of fifty percent of all
12 scheduled public meetings of the governing body in a calendar
13 year to maintain eligibility to hold the position.

14 (b) If a member of the governing body of a unit of local
15 government fails to attend more than fifty percent of the public
16 meetings in a calendar year, the remaining members of the
17 governing body may pass an ordinance instructing the municipal

1 ~~solicitor to file a quo warranto action in the court of common-~~  
2 ~~pleas requesting the removal of the absentee member of the~~  
3 ~~governing body.~~

4 ~~(c) If a member of the governing body of a unit of local~~  
5 ~~government fails to attend a scheduled public meeting of the~~  
6 ~~governing body but provides proof that the absence was due to~~  
7 ~~illness or other employment, the absence shall not apply to~~  
8 ~~determining compliance with subsection (a).~~

9 ~~(d) If a member of a governing body of a unit of local~~  
10 ~~government is removed from office for failure to comply with~~  
11 ~~subsection (a), the office shall be deemed vacant and filled~~  
12 ~~according to law.~~

13 § 15. REMOVAL OF MUNICIPAL OFFICERS.

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14 THE GENERAL ASSEMBLY MAY PROVIDE, BY UNIFORM GENERAL LAW OR  
15 BY CLASSIFICATION, FOR THE REMOVAL OF ELECTED OFFICERS OF A  
16 MUNICIPALITY. ELECTED OFFICERS SHALL BE REMOVED ONLY FOR CAUSE  
17 AS DEFINED BY THE GENERAL ASSEMBLY. CAUSE SHALL INCLUDE  
18 ABSENTEEISM FROM MEETINGS AND DERELICTION OF DUTY. THE  
19 AUTHORIZATION PROVIDED BY THIS SECTION SHALL NOT PRECLUDE THE  
20 USE OF OTHER PROVISIONS CONTAINED IN THIS CONSTITUTION FOR THE  
21 DISQUALIFICATION, IMPEACHMENT OR REMOVAL OF MUNICIPAL OFFICERS.

22 Section 2. (a) Upon the first passage by the General  
23 Assembly of this proposed constitutional amendment, the  
24 Secretary of the Commonwealth shall proceed immediately to  
25 comply with the advertising requirements of section 1 of Article  
26 XI of the Constitution of Pennsylvania and shall transmit the  
27 required advertisements to two newspapers in every county in  
28 which such newspapers are published in sufficient time after  
29 passage of this proposed constitutional amendment.

30 (b) Upon the second passage by the General Assembly of this

1 proposed constitutional amendment, the Secretary of the  
2 Commonwealth shall proceed immediately to comply with the  
3 advertising requirements of section 1 of Article XI of the  
4 Constitution of Pennsylvania and shall transmit the required  
5 advertisements to two newspapers in every county in which such  
6 newspapers are published in sufficient time after passage of  
7 this proposed constitutional amendment. The Secretary of the  
8 Commonwealth shall submit this proposed constitutional amendment  
9 to the qualified electors of this Commonwealth at the first  
10 primary, general or municipal election which meets the  
11 requirements of and is in conformance with section 1 of Article  
12 XI of the Constitution of Pennsylvania and which occurs at least  
13 three months after the proposed constitutional amendment is  
14 passed by the General Assembly.