
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 589

Session of
1971

INTRODUCED BY MESSRS. STONE, LUTTY, DeMEDIO, KAHLE AND
FOOR, MARCH 29, 1971

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 29, 1971

AN ACT

1 Amending the act of July 15, 1957 (P.L.901), entitled "An act
2 giving cities of the third class the right and power to adopt
3 one of several plans of optional charters and to exercise the
4 powers and authority of local self-government subject to
5 certain restrictions and limitations; providing procedures
6 for such adoption and defining the effect thereof," further
7 regulating personal interest in contracts.

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

10 Section 1. Section 601, act of July 15, 1957 (P.L.901),
11 known as the "Optional Third Class City Charter Law," is amended
12 to read:

13 Section 601. [No officer or employe elected or appointed in
14 any city shall be interested, directly or indirectly, in any
15 contract or job for work or materials or the profits thereof, to
16 be furnished or performed for the city, and no such officer or
17 employe shall be interested, directly or indirectly, in any
18 contract or job for work or materials or the profits thereof, to
19 be furnished or performed for any person operating any
20 interurban railway, street railway, bus line, gas works,

1 waterworks, electric light or power plant, heating plant,
2 telegraph line, telephone exchange, or other public utility
3 within the territorial limits of such city.] In any case where a
4 city officer or official elected or appointed knows or by the
5 exercise of reasonable diligence could know that he is
6 interested to any appreciable degree, either directly or
7 indirectly, in any contract for the sale or furnishing of any
8 personal property for the use of the city, or for any services
9 to be rendered for such city, involving the expenditure by the
10 city of more than three hundred dollars in any year, he shall
11 notify council thereof; and any such contract shall not be
12 passed and approved by council except by an affirmative vote of
13 at least three-fourths of the members thereof. In case the
14 interested officer is a member of council, he shall refrain from
15 voting upon said contract. The provisions of this section shall
16 not apply to cases where such officer or official is an employe
17 of the person, firm or corporation to which money is to be paid
18 in a capacity with no possible influence on the transaction and
19 in which he cannot possibly be benefited thereby, either
20 financially or in any other material manner. Any officer or
21 official who shall knowingly violate the provisions of this
22 section shall be liable to the city upon his bond, if any, or
23 personally, to the extent of the damage shown to be sustained
24 thereby by the city, to ouster from office, and shall be guilty
25 of a misdemeanor; and upon conviction thereof, shall be
26 sentenced to pay a fine not exceeding five hundred dollars, or
27 imprisonment not exceeding one year, or both.

28 Section 2. This act shall take effect immediately.