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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1071

Session of  
1977

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INTRODUCED BY FRYER, WEIDNER, RUGGIERO, ABRAHAM, COLE, MORRIS,  
MELUSKEY, GARZIA, LEVI, TRELLO, BRANDT, LOGUE, LIVENGOD,  
A. C. FOSTER JR. AND DeMEDIO, MAY 2, 1977

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 2, 1977

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AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled  
2 "An act concerning townships of the first class; amending,  
3 revising, consolidating, and changing the law relating  
4 thereto," changing provisions relating to filling vacancies  
5 in certain township offices and making repeals.

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

8 Section 1. Section 530, act of June 24, 1931 (P.L.1206,  
9 No.331), known as "The First Class Township Code," reenacted and  
10 amended May 27, 1949 (P.L.1955, No.569), and amended February  
11 11, 1976 (No.8), is amended to read:

12 Section 530. [Township Commissioners] Vacancies in  
13 General.--When a vacancy occurs in the office of township  
14 commissioner, auditor, controller, treasurer, assessor,  
15 assistant auditor, or assistant triennial assessor in any  
16 township, by reason of death, resignation, removal from the  
17 township or ward, or otherwise, the board of township  
18 commissioners of such township shall fill such vacancy by  
19 appointing by resolution a registered voter of the ward or

1 township, as the case may be, in which the vacancy occurs. If  
2 the board of township commissioners of any township shall  
3 refuse, fail, or neglect, or be unable for any reason  
4 whatsoever, to fill such vacancy within thirty (30) days after  
5 the vacancy occurs, then the [court of common pleas shall upon  
6 the petition of twenty registered voters of the ward or  
7 township, as the case may be, in which the vacancy occurs  
8 appoint a registered voter of the township to fill the vacancy.  
9 In either event,] vacancy board shall fill the vacancy within  
10 fifteen (15) additional days by appointing a registered elector  
11 of the ward or township, as the case may be, in which the  
12 vacancy occurs. The vacancy board shall consist of the board of  
13 commissioners and one registered elector of the township, who  
14 shall be elected by the board of township commissioners at each  
15 reorganizational meeting, and who shall act as chairman of the  
16 vacancy board. If the vacancy board does not fill the vacancy  
17 within the prescribed time, the chairman shall petition the  
18 court of common pleas to fill the vacancy by appointing a  
19 registered elector of the ward or township, as the case may be,  
20 in which the vacancy occurs. In all cases, the person so  
21 appointed shall hold the office if the term thereof continues so  
22 long, until the first Monday in January after the first  
23 municipal election occurring more than sixty (60) days after the  
24 vacancy occurs, at which election an eligible person shall be  
25 elected for the remainder of the term and shall have been a  
26 resident of the township continuously for at least one (1) year  
27 before his appointment. In townships divided into wards, [a  
28 commissioner appointed by either the board of commissioners or  
29 the court of common pleas] all appointed commissioners shall  
30 reside in the ward in which the vacancy occurred and shall have

1 resided in said ward continuously for at least one (1) year  
2 before [his] appointment.

3 Section 2. Sections 531, 532 and 533 of the act are  
4 repealed.

5 Section 3. This act shall take effect in 60 days.