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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 677

Session of  
1981

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INTRODUCED BY A. C. FOSTER, JR., DeMEDIO, BOYES, LEVI AND MERRY,  
FEBRUARY 18, 1981

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 18, 1981

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AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled "An  
2 act concerning townships of the second class; and amending,  
3 revising, consolidating, and changing the law relating  
4 thereto," increasing the amount of registered electors'  
5 signatures for certain complaints and providing for limited  
6 township reimbursement in certain circumstances.

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

9 Section 1. Section 503, act of May 1, 1933 (P.L.103, No.69),  
10 known as "The Second Class Township Code," reenacted and amended  
11 July 10, 1947 (P.L.1481, No.567), is amended to read:

12 Section 503. Penalty for Failure to Perform Duties.--(a) If  
13 any township officer refuses or neglects to perform his duties,  
14 the court of [quarter sessions] common pleas, upon complaint in  
15 writing by [five per centum] ten per centum of the registered  
16 electors of the township, may issue a rule upon such officer to  
17 show cause why his office should not be declared vacant and  
18 another appointed in his stead. Such rule shall be made  
19 returnable not less than two weeks from its date of issue. Upon

1 hearing, and proof that the facts alleged in the complaint are  
2 true and that the township officer has refused or neglected to  
3 perform his duties, the court may declare the office vacant and  
4 appoint another in his stead, to hold office during the term of  
5 the officer deposed, or to make such other order as to the court  
6 may seem just and proper.

7 (b) In the event that any such complaint is withdrawn,  
8 terminated or dismissed by the court of common pleas, or a  
9 finding is made that the officer charged therein has not refused  
10 or neglected to perform his duties, then in that event, any  
11 expenses incurred by the officer so charged to defend the  
12 complaint including, but not limited to, court costs and  
13 attorney fees, shall be reimbursed by his respective township.

14 Section 2. This act shall take effect in 60 days and shall  
15 apply to all complaints filed on or after such effective date.