

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 677

Session of
1981

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

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 28, 1981

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," providing for limited township reimbursement in
5 certain circumstances.

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

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

11 Section 503. Penalty for Failure to Perform Duties.--(a) If
12 any township officer refuses or neglects to perform his duties,
13 the court of [quarter sessions] common pleas, upon complaint in
14 writing by [five per centum] TEN PER CENTUM of the registered <—
15 electors of the township, may issue a rule upon such officer to
16 show cause why his office should not be declared vacant and
17 another appointed in his stead. Such rule shall be made
18 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7 (b) In the event that any such complaint is withdrawn,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 the township shall
11 reimburse the township officer for reasonable and necessary
12 legal expenses and attorneys' fees incurred by the officer in
13 the defense of such complaint.

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.