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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 185**      Session of  
2001

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INTRODUCED BY O'PAKE, EARLL AND MUSTO, JANUARY 30, 2001

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REFERRED TO STATE GOVERNMENT, JANUARY 30, 2001

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, providing for the removal by referendum of  
3 elected municipal officers in home rule charter  
4 municipalities where the charter authorizes such removal.

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

7 Section 1. The following amendment to the Constitution of  
8 Pennsylvania is proposed in accordance with Article XI:

9 That section 7 of Article VI be amended to read:

10 § 7. Removal of civil officers.

11 All civil officers shall hold their offices on the condition  
12 that they behave themselves well while in office, and shall be  
13 removed on conviction of misbehavior in office or of any  
14 infamous crime. Appointed civil officers, other than judges of  
15 the courts of record, may be removed at the pleasure of the  
16 power by which they shall have been appointed. All civil  
17 officers elected by the people, except the Governor, the  
18 Lieutenant Governor, members of the General Assembly and judges

1 of the courts of record, shall be removed by the Governor for  
2 reasonable cause, after due notice and full hearing, on the  
3 address of two-thirds of the Senate. Elected municipal officials  
4 may be removed, recalled or suspended from office by a public  
5 referendum provided for under a Home Rule Charter.

6 Section 2. (a) Upon the first passage by the General  
7 Assembly of this proposed constitutional amendment, the  
8 Secretary of the Commonwealth shall proceed immediately to  
9 comply with the advertising requirements of section 1 of Article  
10 XI of the Constitution of Pennsylvania and shall transmit the  
11 required advertisements to two newspapers in every county in  
12 which such newspapers are published in sufficient time after  
13 passage of this proposed constitutional amendment.

14 (b) Upon the second passage by the General Assembly of this  
15 proposed constitutional amendment, the Secretary of the  
16 Commonwealth shall proceed immediately to comply with the  
17 advertising requirements of section 1 of Article XI of the  
18 Constitution of Pennsylvania and shall transmit the required  
19 advertisements to two newspapers in every county in which such  
20 newspapers are published in sufficient time after passage of  
21 this proposed constitutional amendment. The Secretary of the  
22 Commonwealth shall submit this proposed constitutional amendment  
23 to the qualified electors of this Commonwealth at the first  
24 primary, general or municipal election occurring at least three  
25 months after the proposed constitutional amendment is passed by  
26 the General Assembly.