



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

SENATE BILL NO. 791

PRINTERS NO. 951

PRIME SPONSOR: Eichelberger

### COST / (SAVINGS)

| FUND                        | FY 2015/16 | FY 2016/17 |
|-----------------------------|------------|------------|
| Second Class Township Funds | \$0        | \$0        |

**SUMMARY:** Amends the Second Class Township Code regarding removal of elected township officers. This legislation would take effect in 60 days.

**ANALYSIS:** This legislation removes Section 503 of the Second Class Township Code that allows removal of an elected township officer for failure to perform duties, by a county court of common pleas upon complaint by electors.

Under this legislation, any elected officer, whether elected or appointed to fill a vacancy in elective office, will be removable from office only:

- by impeachment, or
- by the Governor for reasonable cause after due notice and full hearing on the advice of two-thirds of the Senate, or
- upon conviction of misbehavior in office, or
- upon conviction of any infamous crime.

A person's title to office (whether the person has the qualifications to hold the office) may still be tried by proceedings of quo warranto (i.e., a legal proceeding during which an individual's right to hold an office or governmental privilege is challenged).

**FISCAL IMPACT:** This legislation would have no adverse fiscal impact on Commonwealth or second class township funds.

**PREPARED BY:** Tim Rodrigo  
House Appropriations Committee (R)

**DATE:** November 9, 2015

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*