



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 422

PRINTERS NO. 1058

PRIME SPONSOR: Gabler

COST / (SAVINGS)

FUND	FY 2016/17	FY 2017/18
First Class Township Funds	\$0	\$0

SUMMARY: Amends the First Class Township Code clarifying proof of residency of officials, bonding requirements and the handling of vacancies. This legislation would take effect in 60 days.

ANALYSIS: This legislation amends the First Class Township Code (Act 331 of 1931) clarifying several provisions in the code relating to proof of residency of officials, penalty for failure to pose required bonds and the handling of vacancies. The legislation amends Section 501 (Electors only Eligible) to provide that prior to being sworn into office, each elected or appointed township officer, shall present a signed affidavit to the township secretary stating that the officer resides in the township and has resided in the township continuously for at least one year immediately prior to election or appointment.

It further provides that if an individual elected to office or appointed to an elective office fails to give the required bond, take the required oath or provide a signed affidavit, a vacancy is created in the office for which the individual was elected or appointed.

It amends Section 530 (Vacancies in General) to add that the failure to file the affidavit, the failure to take oath and the failure to give bond as additional reasons for a vacancy to occur in the office of township commissioner or tax collector. The legislation then states that the township commissioners shall fill the vacancy within thirty days by appointing a registered elector of the township. A vacancy shall not be created by resignation until the date that the resignation is accepted by a majority vote of a quorum of the township commissioners at a public meeting, or the effective date of the tendered resignation, whichever is later.

Further requires that commissioners must accept a resignation no later than 45 days after it has been tendered in writing to the commissioners, unless it has been withdrawn. A resignation that is not accepted by the township commissioners shall be deemed accepted after 45 days of tendering.

The legislation removes a provision in current law that states that no person who was convicted of or pled guilty to or no contest to a felony shall be eligible for appointment to fill a vacancy on the board of commissioners for a period of 3 years following the conviction or plea.

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

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: April 4, 2017

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