



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 423

PRINTERS NO. 439

PRIME SPONSOR: Gabler

COST / (SAVINGS)

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

SUMMARY: Creates a specific process on how a second class township will handle a vacancy in the Office of Supervisor due to a resignation. This legislation would take effect in 60 days.

ANALYSIS: This legislation amends the Second Class Township Code (Act 69 of 1933) to clearly specify the process for handling the resignation of a Supervisor. The legislation amends Section 407 (Vacancies in General) of the Code to provide that a resignation shall not create a vacancy until the date that the resignation is accepted by a majority vote of the board of supervisors or the effective date of the tendered resignation, whichever is later. The board shall accept the resignation no later than forty-five days after it has been tendered, unless the resignation is withdrawn in writing.

A resignation that is not accepted, by failure of the board voting to accept it, shall be deemed accepted forty-five days after the resignation has been tendered.

If the board fails, neglects, refuses or is unable to fill the vacancy within 30 days, the vacancy shall be filled within 15 days by the vacancy board. The vacancy board shall consist of the board of supervisors and one registered elector of the township. The appointed elector shall serve as chair of the board.

The chair of the vacancy board shall petition the Court of Common Pleas to fill the vacancy if the vacancy board fails to fill the vacancy within the allotted 15 days.

If two or more vacancies in the office of supervisor occur on a three-member board, or three or more vacancies occur on a five-member board, the Court of Common Pleas shall fill the vacancies upon presentation of a petition signed by at least 15 registered electors of the township.

A successor appointed under this section shall hold office until the first Monday in January after the first municipal election which occurs at least sixty-days after the vacancy occurs, at which election an eligible person shall be elected for the unexpired term.

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: April 4, 2017

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