



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 85

PRINTERS NO. 141

PRIME SPONSOR: Martin

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
General Fund	\$0	\$0

SUMMARY:

Senate Bill 85 amends the second class county code concerning the filling of vacancies. It would take effect immediately.

ANALYSIS:

Under current law, if a vacancy occurs in the office of district attorney in a county of the second class, either by death, resignation, removal from office or from the county, or otherwise, the judges of the court of common pleas fill the vacancy by the appointment of a competent person to the office for the balance of the unexpired term.

Senate Bill 85 would change that process and provide that the first assistant district attorney would fill the vacancy if the individual meets the qualifications in law. That individual would discharge the duties of the district attorney until the first Monday in January following the next municipal election occurring not less than ninety days after the occurrence of the vacancy.

If the first assistant district attorney is unwilling, unable, or unqualified to fill the vacancy, then the judges of the court of common pleas would fill the vacancy by appointing a competent, qualified person to fill the office until the first Monday in January following the next municipal election occurring not less than ninety days after the occurrence of the vacancy.

FISCAL IMPACT:

Enactment of this legislation will have no adverse impact on Commonwealth funds.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: March 22, 2021

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