

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for initiative of
3 electors seeking consolidation or merger with new home rule
4 charter.

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

7 Section 1. Section 735.1(e) (3) and (g) (1) of Title 53 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 735.1. Initiative of electors seeking consolidation or merger
10 with new home rule charter.

11 * * *

12 (e) Election of members of commission.--

13 * * *

14 (3) Each elector shall be instructed to vote on the
15 question and, regardless of the manner of his vote on the
16 question, to vote for the designated number of members of the
17 commission who shall serve if the question is or has been
18 determined in the affirmative by the majority of the whole of

1 those voting in all the municipalities impacted by the
2 consolidation or merger.

3 * * *

4 (g) Results of election.--

5 (1) The result of the votes cast for and against the
6 question as to the election of a commission and consolidation
7 and merger proceedings shall be returned by the election
8 officers, and a canvass of the election had, as is provided
9 by law in the case of other public questions put to the
10 electors. The votes cast for members of the commission shall
11 be counted and the result returned by the county board of
12 electors of the county in which the municipality, or the
13 greater portion of its territory, is located, and a canvass
14 of the election had, as is provided by law in the case of
15 election of members of municipal councils or boards. If a
16 majority of the whole in the municipalities proposed to be
17 consolidated or merged vote in the affirmative on the
18 question, then the commission shall be formed to study the
19 issue of consolidation or merger and to make recommendations
20 as set forth in the question. The designated number of
21 candidates receiving the greatest number of votes shall be
22 elected and shall constitute the commission. If a majority of
23 [those] the whole in the municipalities voting on the
24 question vote against the election of the commission, none of
25 the candidates shall be elected. If two or more candidates
26 for the last seat shall be equal in number of votes, they
27 shall draw lots to determine which one shall be elected.

28 * * *

29 Section 2. This act shall take effect in 60 days.