

REQUIRING CERTIFICATION OF ELECTION RESULTS

Act of May 2, 1949, P.L. 873, No. 237

Cl. 53

AN ACT

Requiring that the results of all local option referenda in political subdivisions be certified to the Department of Community Affairs by county boards of elections; and requiring secretaries of political subdivisions to make certain reports to said department and to the county commissioners of the county in which the political subdivision is located. (Title amended Oct. 5, 1967, P.L.351, No.152)

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

Section 1. The following words and phrases, when used in this act, shall have the meanings ascribed to them in this section.

"Political subdivision." Every city, borough, incorporated town, township and county in this Commonwealth.

"Governing body." The board of commissioners of every county or first-class township, the council of every city, borough, or incorporated town, and the board of supervisors of every second-class township.

"Secretary." The chief clerk of every county, every city clerk, and the secretary of every borough, incorporated town and township.

Section 2. In January of each year, immediately after the first meeting of the governing body of each political subdivision, the secretary shall report to the Department of Community Affairs, on forms provided by the department, and to the county commissioners of the county in which the political subdivision is located, on forms provided by the county commissioners, the names of all sworn, elected and appointed officers within the political subdivision, and also a report on any change of classification affecting such political subdivision during the year immediately preceding. The "sworn and appointed officers" referred to in this section shall not include constables and their deputies.

(2 amended Oct. 5, 1967, P.L.351, No.152)

Compiler's Note: Section 301(a)(16) of Act 58 of 1996, which created the Department of Community and Economic Development and abolished the Department of Community Affairs, provided that all other powers and duties delegated to the Department of Community Affairs not otherwise expressly transferrred elsewhere by Act 58 and currently performed by the Department of Community Affairs under section 2 are transferred to the Department of Community and Economic Development.

Section 3. Within ten (10) days after any local option referendum authorized by any act of Assembly shall have been

held within any county or any political subdivision thereof, the county board of elections shall certify to the Department of Community Affairs the name of the county or of the political subdivision in which such referendum shall have been held, the question before the electors, and the number of "yes" and "no" votes cast.

(3 amended Oct. 5, 1967, P.L.351, No.152)

Compiler's Note: Section 301(a)(16) of Act 58 of 1996, which created the Department of Community and Economic Development and abolished the Department of Community Affairs, provided that all other powers and duties delegated to the Department of Community Affairs not otherwise expressly transferrred elsewhere by Act 58 and currently performed by the Department of Community Affairs under section 3 are transferred to the Department of Community and Economic Development.

Section 4. Immediately after the appointment of any person to fill a vacancy in elective or appointive office within any political subdivision, the secretary thereof shall report to the Department of Community Affairs and to the office of the county commissioners of the county in which the political subdivision is located the office to which the appointment shall have been made, the name of the appointee, and the name of the person succeeded.

(4 amended Oct. 5, 1967, P.L.351, No.152)

Compiler's Note: Section 301(a)(16) of Act 58 of 1996, which created the Department of Community and Economic Development and abolished the Department of Community Affairs, provided that all other powers and duties delegated to the Department of Community Affairs not otherwise expressly transferrred elsewhere by Act 58 and currently performed by the Department of Community Affairs under section 4 are transferred to the Department of Community and Economic Development.

Section 5. Within ten (10) days after the effective date of any annexation proceeding affecting a political subdivision, the secretary shall report such proceedings and changes to the Department of Community Affairs. Reports of annexation proceedings shall include a plot or plots of the territory to be annexed and certified copies of the ordinances and petitions, resolution adopted by the electorate, or decree of the court, as appropriate to the manner by which the annexation proceedings are carried into effect.

(5 added Oct. 5, 1967, P.L.351, No.152)

Compiler's Note: Section 301(a)(16) of Act 58 of 1996, which created the Department of Community and Economic Development and abolished the Department of Community Affairs, provided that all other powers and duties delegated to the Department of Community Affairs not otherwise expressly transferrred elsewhere by Act 58 and currently performed by the Department of Community Affairs under section 5 are transferred to the Department

of Community and Economic Development.