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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 913

Session of  
1977

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INTRODUCED BY BERSON, SCIRICA, O'DONNELL, COHEN, WHITE AND  
RICHARDSON, APRIL 20, 1977

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL, 20, 1977

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania by providing for the removal and recall of  
3 civil officers.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of  
7 the Commonwealth of Pennsylvania is proposed in accordance with  
8 the provisions of Article XI thereof:

9 That section 7, Article VI be amended to read:

10 § 7. Removal and recall of civil officers.

11 All civil officers shall hold their offices on the condition  
12 that they behave themselves well while in office, and shall be  
13 removed on conviction of misbehavior in office or of any  
14 infamous crime. Appointed civil officers, other than [judges of  
15 the courts of record] those whose terms are fixed by law, may be  
16 removed at the pleasure of the power by which they shall have  
17 been appointed. All civil officers elected by the people, except  
18 the Governor, the Lieutenant Governor, members of the General

1 Assembly and [judges of the courts of record] justices, judges  
2 and justices of the peace, shall be removed by the Governor for  
3 reasonable cause, after due notice and full hearing, on the  
4 address of two-thirds of the Senate and may, if authorized by  
5 law, be removed by the courts for reasonable cause or recalled  
6 by the people in the manner provided by law. Any civil office  
7 which is not created by this Constitution may be abolished  
8 during the term of any incumbent officer.

9 SCHEDULE

10 The provisions of this amendment relating to recall by the  
11 people shall validate existing home rule charter provisions and  
12 statutes on the same subject, but no civil officer holding  
13 office when this amendment shall take effect shall be liable to  
14 recall during the balance of his or her then current term of  
15 office.

16 Section 2. This proposed amendment and schedule thereto  
17 shall be submitted by the Secretary of the Commonwealth to the  
18 qualified electors of the State, at the primary election or  
19 election next held after the advertising requirements of Article  
20 XI, section 1 of the Constitution of the Commonwealth of  
21 Pennsylvania have been satisfied.