
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2161 Session of
1999

INTRODUCED BY S. MILLER, ARGALL, CALTAGIRONE, SNYDER, CLARK,
CORRIGAN, DeLUCA, DEMPSEY, FAIRCHILD, FREEMAN, GODSHALL,
HALUSKA, HENNESSEY, LEVDANSKY, MICHLOVIC, ORIE, RAMOS,
RUBLEY, SCRIMENTI, SEYFERT, SHANER, STERN, SURRA,
E. Z. TAYLOR, WILLIAMS AND YOUNGBLOOD, DECEMBER 13, 1999

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, DECEMBER 13, 1999

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled
2 "An act concerning townships of the first class; amending,
3 revising, consolidating, and changing the law relating
4 thereto," further providing for vacancies in certain offices.

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

7 Section 1. Section 530 of the act of June 24, 1931
8 (P.L.1206, No.331), known as The First Class Township Code,
9 reenacted and amended May 27, 1949 (P.L.1955, No.569) and
10 amended May 1, 1981 (P.L.32, No.12), is amended to read:

11 Section 530. Vacancies in General.--When a vacancy occurs in
12 the office of township commissioner, auditor, controller,
13 treasurer, assessor, assistant auditor, or assistant triennial
14 assessor in any township, by reason of death, resignation,
15 removal from the township or ward, or otherwise, the board of
16 township commissioners of such township shall fill such vacancy
17 by appointing by resolution a registered voter of the ward or

1 township, as the case may be, in which the vacancy occurs. If
2 the board of township commissioners of any township shall
3 refuse, fail, or neglect, or be unable for any reason
4 whatsoever, to fill such vacancy within thirty (30) days after
5 the vacancy occurs, then the vacancy board shall fill the
6 vacancy within fifteen (15) additional days by appointing a
7 registered elector of the ward or township, as the case may be,
8 in which the vacancy occurs. The vacancy board shall consist of
9 the board of commissioners and one registered elector of the
10 township, who shall be appointed by the board of township
11 commissioners at the board's first meeting each calendar year or
12 as soon thereafter as practical, and who shall act as chairman
13 of the vacancy board. If the vacancy board does not fill the
14 vacancy within the prescribed time, the chairman shall, or in
15 the case of a vacancy in the chairmanship the remaining members
16 of the vacancy board shall, petition the court of common pleas
17 to fill the vacancy by appointing a registered elector of the
18 ward or township, as the case may be, in which the vacancy
19 occurs. In the case where there are vacancies in a majority of
20 the offices of commissioners, the court of common pleas shall
21 fill such vacancies upon presentation of petition signed by not
22 less than fifteen (15) registered electors of the township. In
23 all cases, the person so appointed shall hold the office if the
24 term thereof continues so long, until the first Monday in
25 January after the first municipal or general election occurring
26 more than sixty (60) days after the vacancy occurs, at which
27 election an eligible person shall be elected for the remainder
28 of the term and shall have been a resident of the township
29 continuously for at least one (1) year before his appointment.
30 In townships divided into wards, all appointed commissioners

1 shall reside in the ward in which the vacancy occurred and shall
2 have resided in said ward continuously for at least one (1) year
3 before appointment. No person who was convicted of or pled
4 guilty or no contest to a felony shall be eligible for
5 appointment to fill a vacancy on the board of commissioners for
6 a period of three (3) years from the date of the conviction or
7 plea.

8 Section 2. This act shall apply to vacancies occurring on or
9 after the effective date of this act.

10 Section 3. This act shall take effect in 60 days.