

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2162 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 May 1, 1933 (P.L.103, No.69), entitled, as
2 reenacted and amended, "An act concerning townships of the
3 second class; and amending, revising, consolidating and
4 changing the law relating thereto," further providing for
5 vacancies in certain offices.

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

8 Section 1. Section 407 of the act of May 1, 1933 (P.L.103,
9 No.69), known as The Second Class Township Code, reenacted and
10 amended November 9, 1995 (P.L.350, No.60), is amended to read:

11 Section 407. Vacancies in General.--If the electors of any
12 township fail to choose a supervisor, tax collector, auditor or
13 assessor or if any person elected to any office fails to serve
14 in the office or if a vacancy occurs in the office by death,
15 resignation, removal from the township or otherwise, the board
16 of supervisors may appoint a successor who is an elector of the
17 township and has resided in that township continuously for at
18 least one year prior to their appointment, and, upon their

1 failure to make the appointment within thirty days after the
2 vacancy occurs, the vacancy shall be filled within fifteen
3 additional days by the vacancy board. The vacancy board shall
4 consist of the board of supervisors and one elector of the
5 township, who shall be appointed by the board of supervisors at
6 the board's first meeting each calendar year or as soon after
7 that as practical and who shall act as chairman of the vacancy
8 board. If the vacancy board fails to fill the position within
9 fifteen days, the chairman shall, or if there is a vacancy in
10 the chairmanship the remaining members of the vacancy board
11 shall, petition the court of common pleas to fill the vacancy.
12 If two or more vacancies in the office of supervisor occur on a
13 three-member board or three or more vacancies on a five-member
14 board, the court of common pleas shall fill the vacancies upon
15 presentation of petition signed by not less than fifteen
16 electors of the township. The successor so appointed shall hold
17 the office until the first Monday in January after the first
18 municipal or general election which occurs more than sixty days
19 after the vacancy occurs, at which election an eligible person
20 shall be elected for the unexpired term.

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

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