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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 1937** Session of  
2007

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INTRODUCED BY CASORIO, BRENNAN, KOTIK, KULA, McILHATTAN,  
SIPTROTH, SOLOBAY AND YOUNGBLOOD, OCTOBER 23, 2007

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 23, 2007

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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 removals, suspensions or  
5 reductions in rank of police officers.

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

8 Section 1. Section 644 of the act of June 24, 1931  
9 (P.L.1206, No.331), known as The First Class Township Code,  
10 reenacted and amended May 27, 1949 (P.L.1955, No.569) and  
11 amended July 7, 1983 (P.L.38, No.20) and May 9, 1984 (P.L.251,  
12 No.55), is amended to read:

13 Section 644. Removals.--No person employed in any police or  
14 fire force of any township shall be suspended, removed or  
15 reduced in rank except for the following reasons: (1) physical  
16 or mental disability affecting his ability to continue in  
17 service, in which cases the person shall receive an honorable  
18 discharge from service; (2) neglect or violation of any official  
19 duty; (3) violation of any law of this Commonwealth which

1 provides that such violation constitutes a misdemeanor or  
2 felony; (4) inefficiency, neglect, intemperance, disobedience of  
3 orders, or conduct unbecoming an officer; (5) intoxication while  
4 on duty; (6) engaging or participating in conducting of any  
5 political or election campaign while on duty or in uniform  
6 otherwise than to exercise his own right of suffrage. A person  
7 so employed shall not be removed for religious, racial or  
8 political reasons. A written statement of any charges made  
9 against any person so employed shall be furnished to such person  
10 within five days after the same are filed with the commission.

11 If for reasons of economy or other reasons it shall be deemed  
12 necessary by any township to reduce the number of paid employes  
13 of the police or fire force, then such township shall apply the  
14 following procedure: (a) if there are any employes eligible for  
15 retirement under the terms of any retirement or pension law,  
16 then such reduction in numbers shall be made by retirement if  
17 the party to be retired exceeds the maximum age as defined in  
18 the act of October 27, 1955 (P.L.744, No.222), known as the  
19 "Pennsylvania Human Relations Act"; (b) if the number of paid  
20 employes in the police or fire forces eligible to retirement is  
21 insufficient to effect the necessary reduction in numbers or if  
22 there are no persons eligible for retirement or if no retirement  
23 or pension fund exists, then the reduction shall be effected by  
24 furloughing the person or persons, including probationers, last  
25 appointed to the respective force. Such removal shall be  
26 accomplished by furloughing in numerical order commencing with  
27 the person last appointed until such reduction shall have been  
28 accomplished. In the event the said police force shall again be  
29 increased, the employes furloughed shall be reinstated in the  
30 order of their seniority in the service. The provisions of this

1 paragraph as to reductions in force shall not apply to any chief  
2 of police.

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