
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1418 Session of
2010

INTRODUCED BY BOSCOLA, McILHINNEY, WASHINGTON, BROWNE, MENSCH,
MELLOW, STACK, HUGHES, FARNESE, ALLOWAY AND RAFFERTY,
JUNE 23, 2010

REFERRED TO STATE GOVERNMENT, JUNE 23, 2010

AN ACT

1 Requiring all public officers and employees to reside in this
2 Commonwealth.

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

5 Section 1. Residency requirement.

6 (a) General rule.--Any individual holding an office,
7 employment or position in the executive, legislative or judicial
8 branch of the Commonwealth, with an authority, board, agency,
9 commission or instrumentality of the Commonwealth, including any
10 State university, or with a political subdivision of the
11 Commonwealth or an authority, board, agency, commission or
12 instrumentality of the political subdivision shall have his or
13 her principal residence in this Commonwealth.

14 (b) Principal residence.--

15 (1) For the purpose of subsection (a), an individual may
16 have at most one principal residence, and the state of an
17 individual's principal residence means the state:

- 1 (i) where the individual spends the majority of his
2 or her nonworking time;
- 3 (ii) which is most clearly the center of his or her
4 domestic life; and
- 5 (iii) which is designated as his or her legal
6 address and legal residence for voting.

7 (2) The fact that a person is domiciled in this
8 Commonwealth shall not by itself satisfy the requirement of
9 principal residency under this section.

10 Section 2. Violation.

11 (a) Violation.--An individual holding or attempting to hold
12 an office, employment or position in violation of this act shall
13 be considered as illegally holding or attempting to hold the
14 same, except as set forth in subsection (b) and except that an
15 individual holding an office, employment or position in this
16 Commonwealth shall have four months from the time of taking the
17 office, employment or position to satisfy the requirement of
18 principal residency, and if thereafter the individual fails to
19 satisfy the requirement of principal residency with respect to
20 any 365-day period, that individual shall be deemed unqualified
21 for the office, employment or position and shall forfeit the
22 office, employment or position.

23 (b) Exception.--An individual who, on the effective date of
24 this act, does not have his or her principal residence in this
25 Commonwealth but holds an office, employment or position
26 described in section 1(a) shall have two years and six months
27 from the effective date of this act to comply with the
28 provisions of section 1(a).

29 Section 3. Existing contracts.

30 Nothing in this act shall be deemed to affect or impair the

1 provisions of any employment contract entered into prior to the
2 effective date of this act.

3 Section 4. Nonapplicability.

4 The provisions of section 1(a) do not apply to any officer or
5 employee who, on the effective date of this act, holds an
6 office, employment or position described in section 1(a) for
7 which the grounds for termination are limited as specified by
8 statute.

9 Section 5. Effective date.

10 This act shall take effect immediately.