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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1177 Session of  
2013

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INTRODUCED BY LUCAS AND MILLARD, APRIL 15, 2013

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 15, 2013

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AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania  
2 Consolidated Statutes, further providing for initiative of  
3 electors seeking consolidation or merger with new home rule  
4 charter.

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

7 Section 1. Section 735.1(e) (3) and (g) (1) of Title 53 of the  
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 735.1. Initiative of electors seeking consolidation or merger  
10 with new home rule charter.

11 \* \* \*

12 (e) Election of members of commission.--

13 \* \* \*

14 (3) Each elector shall be instructed to vote on the  
15 question and, regardless of the manner of his vote on the  
16 question, to vote for the designated number of members of the  
17 commission who shall serve if the question is or has been  
18 determined in the affirmative by the majority of the whole of  
19 those voting in all the municipalities impacted by the

1 consolidation or merger.

2 \* \* \*

3 (g) Results of election.--

4 (1) The result of the votes cast for and against the  
5 question as to the election of a commission and consolidation  
6 and merger proceedings shall be returned by the election  
7 officers, and a canvass of the election had, as is provided  
8 by law in the case of other public questions put to the  
9 electors. The votes cast for members of the commission shall  
10 be counted and the result returned by the county board of  
11 electors of the county in which the municipality, or the  
12 greater portion of its territory, is located, and a canvass  
13 of the election had, as is provided by law in the case of  
14 election of members of municipal councils or boards. If a  
15 majority of the whole in the municipalities proposed to be  
16 consolidated or merged vote in the affirmative on the  
17 question, then the commission shall be formed to study the  
18 issue of consolidation or merger and to make recommendations  
19 as set forth in the question. The designated number of  
20 candidates receiving the greatest number of votes shall be  
21 elected and shall constitute the commission. If a majority of  
22 [those] the whole in the municipalities voting on the  
23 question vote against the election of the commission, none of  
24 the candidates shall be elected. If two or more candidates  
25 for the last seat shall be equal in number of votes, they  
26 shall draw lots to determine which one shall be elected.

27 \* \* \*

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