

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 864 Session of 2015

INTRODUCED BY EMRICK, HEFFLEY, METCALFE, REGAN, EVERETT AND MALONEY, APRIL 1, 2015

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 1, 2015

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," in election of officers
 5 and vacancies in office, further providing for officers to be
 6 elected and for supervisors.

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

9 Section 1. Section 402(c) and (e) of the act of May 1, 1933
 10 (P.L.103, No.69), known as The Second Class Township Code,
 11 reenacted and amended November 9, 1995 (P.L.350, No.60), and
 12 amended July 13, 1961 (P.L.596, No.294) and July 30, 1975
 13 (P.L.134, No.67), are amended to read:

14 Section 402. Officers to be Elected.--* * *

15 (c) At the first municipal election following approval at a
 16 general election of the question providing for the election of
 17 two additional supervisors, [one of the additional supervisors
 18 shall be elected for a term of four years and one for a term of
 19 six years] both additional supervisors shall be elected in
 20 accordance with section 403, each to serve from the first Monday

1 of January after the election. [At the first general election
2 following approval at a municipal election of the question
3 providing for the election of two additional supervisors, one of
4 the additional supervisors shall be elected for a term of three
5 years and one for a term of five years, each to serve from the
6 first Monday of January after the election. After that time, the
7 additional supervisors shall be elected for terms of six years
8 each to serve from the first Monday of January after the
9 election.]

10 * * *

11 (e) At the first municipal election following approval of
12 the question providing for a return to a three-member board,
13 three supervisors shall be elected to serve from the first
14 Monday of January after the election, when the terms of the
15 officers of the five-member board of supervisors shall cease.
16 The three candidates receiving the highest number of votes for
17 the office of supervisor shall be elected in accordance with
18 section 403. [The candidate receiving the highest number of
19 votes shall serve for a term of six years. The candidate
20 receiving the second highest number of votes shall serve for a
21 term of four years. The candidate receiving the third highest
22 number of votes shall serve for a term of two years. After that,
23 supervisors shall be elected under section 403.]

24 Section 2. Section 403 of the act is amended to read:

25 Section 403. Supervisors.--(a) Except [as provided under
26 section 402(b) for the election of additional supervisors or
27 under section 402(e) for a return to a three-member board, or]
28 when vacancies create shorter terms, at each municipal election,
29 the electors of each township shall elect [one supervisor] three
30 supervisors, unless the township has elected to have five

1 supervisors as provided under section 402(b), to serve for a
2 term of [six] two years from the first Monday of January after
3 the election.

4 (b) Except as otherwise provided in this act, no supervisor
5 shall at the same time hold any other elective or appointive
6 township office or position. Nothing in this subsection shall
7 prohibit a supervisor from being a member of a township planning
8 commission created under the act of July 31, 1968 (P.L.805,
9 No.247), known as the "Pennsylvania Municipalities Planning
10 Code."

11 (c) Supervisors shall reside in the township from which
12 elected and shall have resided in that township continuously for
13 at least one year before their election.

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