

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 791 Session of 2015

INTRODUCED BY EICHELBERGER, HUTCHINSON, MCGARRIGLE, WOZNIAK AND BLAKE, MAY 15, 2015

REFERRED TO LOCAL GOVERNMENT, MAY 15, 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 township officers
 5 generally, further providing for removal for failure to
 6 perform duties.

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

9 Section 1. Section 503 of the act of May 1, 1933 (P.L.103,
 10 No.69), known as The Second Class Township Code, reenacted and
 11 amended November 9, 1995 (P.L.350, No.60), is amended to read:

12 Section 503. [Removal for Failure to Perform Duties.--If any
 13 township officer fails to perform the duties of the office, the
 14 court of common pleas upon complaint in writing by five percent
 15 of the electors of the township may issue a rule upon the
 16 officer to show cause why the office should not be declared
 17 vacant. The officer shall respond to the rule within thirty days
 18 from its date of issue. Upon hearing, the court may declare the
 19 office vacant and require the vacancy to be filled under section
 20 407.] Removal of Township Officers and Appointees.--Whether

1 electd or duly appointed to fill a vacancy in elective office,
2 a township officer shall be removable from office only by
3 impeachment, or by the Governor for reasonable cause after due
4 notice and full hearing on the advice of two-thirds of the
5 Senate, or upon conviction of misbehavior in office, or of an
6 infamous crime in accordance with the Constitution of
7 Pennsylvania, but the officer's title to office may be tried by
8 proceedings of quo warranto as provided by law.

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