

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1363 Session of
2017

INTRODUCED BY JAMES, HARPER, KAMPF, FREEMAN AND DALEY,
MAY 9, 2017

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MAY 9, 2017

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in general provisions, providing for
3 residency during military service.

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

6 Section 1. Title 53 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 1142. Residency during military service.

9 (a) General rule.--A person's active military duty shall not
10 disqualify the person from fulfilling a residency requirement
11 imposed by a municipal code or charter as a qualification of
12 elected office or to fill a vacancy of elected office.

13 (b) Deemed residency.--For purposes of subsection (a), a
14 person who is a resident of a municipality for at least one year
15 immediately prior to the person's absence due to active military
16 duty shall be deemed to be an ongoing resident of the
17 municipality unless and until the person demonstrates an intent
18 to establish a new domicile outside of the municipality.

1 (c) Definition.--As used in this section, the term "active
2 military duty" shall include active service in any of the armed
3 forces of the United States, including a National Guard or
4 reserve component.

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