

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1444 Session of 2019

INTRODUCED BY WALSH, SIMMONS, WARNER, BERNSTINE, MILLARD, MALONEY, IRVIN, ZIMMERMAN, REESE, CIRESI, NELSON, DOWLING AND SOLOMON, MAY 13, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 25, 2019

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, in local government, providing for removal
3 of municipal officers.

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

6 Section 1. The following amendment to the Constitution of
7 Pennsylvania is proposed in accordance with Article XI:

8 That Article IX be amended by adding a section to read:

9 § 15. Removal of municipal officers.

10 The General Assembly may SHALL provide, by uniform general <--
11 law or by classification, for the removal of elected officers of
12 a municipality. Elected officers shall be removed only for cause
13 as defined by the General Assembly. Cause shall include
14 absenteeism from meetings and dereliction of duty. The
15 authorization provided by this section shall not preclude the
16 use of other provisions contained in this Constitution for the
17 disqualification, impeachment or removal of municipal officers.

1 Section 2. (a) Upon the first passage by the General
2 Assembly of this proposed constitutional amendment, the
3 Secretary of the Commonwealth shall proceed immediately to
4 comply with the advertising requirements of section 1 of Article
5 XI of the Constitution of Pennsylvania and shall transmit the
6 required advertisements to two newspapers in every county in
7 which such newspapers are published in sufficient time after
8 passage of this proposed constitutional amendment.

9 (b) Upon the second passage by the General Assembly of this
10 proposed constitutional amendment, the Secretary of the
11 Commonwealth shall proceed immediately to comply with the
12 advertising requirements of section 1 of Article XI of the
13 Constitution of Pennsylvania and shall transmit the required
14 advertisements to two newspapers in every county in which such
15 newspapers are published in sufficient time after passage of
16 this proposed constitutional amendment. The Secretary of the
17 Commonwealth shall submit this proposed constitutional amendment
18 to the qualified electors of this Commonwealth at the first
19 primary, general or municipal election which meets the
20 requirements of and is in conformance with section 1 of Article
21 XI of the Constitution of Pennsylvania and which occurs at least
22 three months after the proposed constitutional amendment is
23 passed by the General Assembly.