

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 774 Session of 2021

INTRODUCED BY PISCIOTTANO, HILL-EVANS, NEILSON, LEE AND A. BROWN, MARCH 4, 2021

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 29, 2021

AN ACT

1 Amending Title 8 (Boroughs and Incorporated Towns) of the
2 Pennsylvania Consolidated Statutes, in powers, duties and
3 rights of appointed officers and employees, further providing
4 for appointments and incompatible offices.

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

7 Section 1. Section 1104(b) of Title 8 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 1104. Appointments and incompatible offices.

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11 ~~(b) Prohibition.~~

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12 ~~(1) Except as set forth in paragraph (2), no elected~~
13 ~~borough official of a borough with a population of [3,000]~~
14 ~~4,000 or more may serve as an employee of that borough.~~

15 ~~(2) Paragraph (1) shall not apply to [a] an elected~~
16 ~~borough official serving as an employee of that borough prior~~
17 ~~to the certification of the [2010 official census or a~~
18 ~~subsequent latest official census] most recent Federal~~

1 ~~decennial census which indicates an increase in the~~
2 ~~population of that borough to [3,000] 4,000 or more.~~

3 [(B) PROHIBITION.--

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4 (1) EXCEPT AS SET FORTH IN PARAGRAPH (2), NO ELECTED
5 BOROUGH OFFICIAL OF A BOROUGH WITH A POPULATION OF 3,000 OR
6 MORE MAY SERVE AS AN EMPLOYEE OF THAT BOROUGH.

7 (2) PARAGRAPH (1) SHALL NOT APPLY TO A BOROUGH OFFICIAL
8 SERVING AS AN EMPLOYEE OF THAT BOROUGH PRIOR TO THE
9 CERTIFICATION OF THE 2010 OFFICIAL CENSUS OR A SUBSEQUENT
10 LATEST OFFICIAL CENSUS WHICH INDICATES AN INCREASE IN THE
11 POPULATION OF THAT BOROUGH TO 3,000 OR MORE.]

12 * * *

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