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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 86 Session of  
2021

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INTRODUCED BY MARTIN, BAKER, BROWNE, PHILLIPS-HILL, MENSCH,  
SCAVELLO, ARGALL AND PITTMAN, JANUARY 22, 2021

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REFERRED TO JUDICIARY, JANUARY 22, 2021

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AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania  
2 Consolidated Statutes, in general provisions relating to home  
3 rule and optional plan government, further providing for  
4 limitation on municipal powers.

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

7 Section 1. Section 2962(a) of Title 53 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a paragraph to read:  
9 § 2962. Limitation on municipal powers.

10 (a) Powers granted by statute.--With respect to the  
11 following subjects, the home rule charter shall not give any  
12 power or authority to the municipality contrary to or in  
13 limitation or enlargement of powers granted by statutes which  
14 are applicable to a class or classes of municipalities:

15 \* \* \*

16 (11) The procedure for the filling of vacancies in the  
17 office of district attorney.

18 \* \* \*

19 Section 2. The addition of 53 Pa.C.S. § 2962(a)(11) is

1 intended to preempt and supersede any contrary provision in a  
2 county home rule charter, ordinance or local administrative  
3 code.

4 Section 3. This act shall take effect immediately.