

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 953 Session of 2021

INTRODUCED BY A. WILLIAMS, NOVEMBER 22, 2021

REFERRED TO EDUCATION, NOVEMBER 22, 2021

AN ACT

1 Amending the act of August 9, 1963 (P.L.643, No.341), entitled
 2 "An act to execute partially section one of article fifteen
 3 of the Constitution by giving cities of the first class the
 4 right to frame, adopt and amend home rule charter provisions
 5 governing the organization of the public school system; to
 6 grant to such cities certain enumerated powers of local self-
 7 government with respect to public education; to grant to such
 8 cities necessarily implied powers to effectuate such
 9 enumerated powers; to impose certain general and specific
 10 restrictions and limitations; and to impose duties upon city
 11 councils, city officers, board of elections, courts and the
 12 Secretary of the Commonwealth," in grant of power, further
 13 providing for grant of powers and authority and providing for
 14 method of election.

15 The General Assembly of the Commonwealth of Pennsylvania
 16 hereby enacts as follows:

17 Section 1. Section 18(a)(3) of the act of August 9, 1963
 18 (P.L.643, No.341), known as the First Class City Public
 19 Education Home Rule Act, is amended and the subsection is
 20 amended by adding a paragraph to read:

21 Section 18. Grant of Powers and Authority.--(a) Any city of
 22 the first class taking advantage of this act and framing and
 23 adopting provisions hereunder shall have, and may exercise, the
 24 following enumerated powers:

1 * * *

2 (3) The power to set the term, number and qualifications of
3 board of education members, except as provided under paragraph
4 (3.1); to provide for the methods of nomination, such to include
5 a citizens' nominating panel, if deemed advisable; and [either]
6 to provide for a method of appointment, in such case such power
7 shall include the designation of the appointing authority, [or]
8 to provide for a method of election[.], except as provided for
9 under section 19.1, or to provide for a method of appointment in
10 part and a method of election in part, except as provided for
11 under section 19.1.

12 (3.1) In the event that a city provides for a method of
13 appointment in part and a method of election in part as provided
14 for under paragraph (3), the number of board members elected
15 shall be no more than seventeen.

16 * * *

17 Section 2. The act is amended by adding a section to read:

18 Section 19.1. Method of Election.--(a) Notwithstanding any
19 other provision of this act, any city of the first class taking
20 advantage of this act and framing and adopting provisions that
21 exercise the power to provide for a method of election for
22 members of a board of education, whether in whole or in part, as
23 provided for under section 18(a)(3) shall:

24 (1) Conduct the election for board members in accordance
25 with the act of June 3, 1937 (P.L.1333, No.320), known as the
26 "Pennsylvania Election Code," and section 14 of this act.

27 (2) File nomination papers for board members in the same
28 manner as nominations of candidates by political bodies or
29 independent candidates as provided for under section 951 of the
30 "Pennsylvania Election Code" but without regard to political

1 party affiliation. Nomination papers for the board of education
2 shall include the signatures of a minimum of two hundred
3 qualified electors without regard to political party
4 affiliation.

5 (3) Through the election officers of the city, count the
6 votes cast and make returns to the board of elections. The
7 result of any such election shall be computed by the board of
8 elections in the same manner as is provided for by law for
9 computation of similar returns at any such election.

10 Certificates of the result of any such election shall be filed
11 by the board of elections with the city council of the city, the
12 secretary of the board of public education of the school
13 district and the Secretary of the Commonwealth.

14 (b) Notwithstanding any other provision of law, the form of
15 the ballot shall include under each candidate's name a space for
16 a voter to write in the name of any other person.

17 Section 3. This act shall take effect in 60 days.