

No. 67

## AN ACT

HB 951

Amending the act of May 1, 1933 (P.L.103, No.69), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," changing the provisions relating to additional supervisors and providing for a referendum.

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

Section I. Subsections (B) and (C) of section 402, act of May 1, 1933 (P.L.103, No.69), known as "The Second Class Township Code," reenacted and amended July 10, 1947 (P.L.1481, No.567), subsection (B) amended March 1, 1974 (P.L.111, No.26) and subsection (C) added July 13, 1961 (P.L.596, No.294), are amended to read:

Section 402. Officers to Be Elected.—\* \* \*

(B) **[The court of common pleas upon petition may provide for the election of] Upon petition of at least five per centum of the registered electors of the township or pursuant to a resolution of the board of supervisors, and upon an approval by a majority of those electors voting at the next municipal or general election, there shall be elected two additional supervisors in any township having a population of three thousand or more as determined by an official census taken by the Federal Government for any purpose or as determined by any other census which is certified by the County Planning Commission of said county. [or by the school district or districts in which said township is located. The petition shall be presented by the board of supervisors pursuant to a resolution of such board or by at least five per centum of the registered electors of the township.] The referendum petition or resolution of the board of supervisors certified by the township secretary shall be filed with the county board of elections not later than the thirteenth Tuesday prior to the next municipal or general election. The county board of elections shall place the question before the electors in the same manner as other questions are presented under the provisions of the Pennsylvania Election Code.**

*The form of the question shall be as follows:*

|   |     |
|---|-----|
| Should two additional supervisors be elected to serve in this township? | Yes |
|   | No  |

*The county board of elections shall tabulate and publish the results of the referendum within thirty days of the election. The total number of supervisors shall not exceed five.*

(C) At the first municipal election following **[the decree of the court] the approval at the prior general election by the voters of the question** providing for the election of two additional supervisors, one of such additional supervisors shall be elected for a term of four years and one shall be elected for a term of six years, each to serve from the first Monday of January next following his election. **At the first general election following the approval at the prior municipal election by the voters of the question providing for the election of two additional supervisors, one of such additional supervisors shall be elected for a term of three years and one shall be elected for a term of five years, each to serve from the first Monday of January next following his election.** Thereafter, such additional supervisors shall be elected for terms of six years each to serve from the first Monday of January next following his election.

Section 2. Section 510 of the act, amended March 28, 1963 (P.L.10, No.7), is amended to read:

Section 510. Supervision of Affairs.—The general supervision of the affairs of the township shall be in the hands of three registered electors of the township, who shall be styled township supervisors, except that when *upon referendum* the **[court of quarter sessions has provided for]** election of two additional supervisors **is provided for**, the general supervision of the affairs of the township shall be in the hands of five registered electors of the township, who shall be styled township supervisors.

Section 3. This act shall take effect immediately.

APPROVED—The 30th day of July, A. D. 1975.

MILTON J. SHAPP