

No. 315

AN ACT

HB 1204

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," further regulating the filling of a vacancy in the office of supervisor and providing for the appointment of the township solicitor.

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

Section 1. Section 420, 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), and amended July 3, 1963 (P.L.193, No.115), is amended to read:

Section 420. Supervisors.—If the electors of any township shall fail to choose a supervisor, or if any person elected to such office shall neglect or refuse to serve therein, or if a vacancy shall occur in the office by death, resignation, removal from the township, or otherwise, a majority of the remaining supervisors may appoint a successor and upon their failure to make such appointment within thirty days after the vacancy occurs, the court of **[quarter sessions] common pleas** shall appoint a successor, upon the presentation of a petition signed by a supervisor and not less than five registered electors. In either case, the successor so appointed shall hold the office *if the term thereof continues so long, until the first Monday in January after the first municipal election occurring more than sixty days after the vacancy occurs, at which election an eligible person shall be elected* for the unexpired term. When a vacancy is so filled by a majority of the remaining supervisors they shall, within fifteen days thereafter, certify such appointment to the clerk of the court of **[quarter sessions] common pleas**.

If the electors of any township shall fail to choose two or more supervisors, or if two or more persons elected to such offices shall neglect or refuse to serve therein, or if vacancies shall occur in two or more such offices by death, resignation, removal from the township, or otherwise, the court of **[quarter sessions] common pleas** shall appoint successors upon the presentation of a petition signed by not less than five registered electors. The successors so appointed shall hold the offices, *if the terms thereof continue so long, until the first Monday in January after the first municipal election occurring more than sixty days after the vacancy occurs; at which election eligible persons shall be elected* for the unexpired terms.

Section 2. Section 580 of the act, amended October 19, 1967 (P.L.456, No.213), is amended to read:

Section 580. Appointment.—The board of supervisors, on the first Monday of January in any year, or as soon thereafter as practicable, may appoint, by a vote of a majority of the members, and fix the compensation of one person learned in the law, who shall be styled the township solicitor. *In lieu of the appointment of one person, the board of supervisors may appoint a law firm, partnership, association or professional corporation which shall act as the township solicitor.*

APPROVED—The 13th day of December, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 315.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large, prominent initial "C".

Secretary of the Commonwealth.