

No. 1981-12

AN ACT

HB 21

Amending the act of June 24, 1931 (P.L.1206, No.331), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further providing for filling vacancies in certain township offices.

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

Section 1. Section 530, act of June 24, 1931 (P.L.1206, No.331), known as "The First Class Township Code," reenacted and amended May 27, 1949 (P.L.1955, No.569), and amended December 4, 1980 (P.L.1101, No.188), is amended to read:

Section 530. Vacancies in General.—When a vacancy occurs in the office of township commissioner, auditor, controller, treasurer, assessor, assistant auditor, or assistant triennial assessor in any township, by reason of death, resignation, removal from the township or ward, or otherwise, the board of township commissioners of such township shall fill such vacancy by appointing by resolution a registered voter of the ward or township, as the case may be, in which the vacancy occurs. If the board of township commissioners of any township shall refuse, fail, or neglect, or be unable for any reason whatsoever, to fill such vacancy within thirty (30) days after the vacancy occurs, then the vacancy board shall fill the vacancy within fifteen (15) additional days by appointing a registered elector of the ward or township, as the case may be, in which the vacancy occurs. The vacancy board shall consist of the board of commissioners and one registered elector of the township, who shall be **[elected] appointed** by the board of township commissioners at **[each reorganizational meeting] the board's first meeting each calendar year or as soon thereafter as practical**, and who shall act as chairman of the vacancy board. If the vacancy board does not fill the vacancy within the prescribed time, the chairman shall, *or in the case of a vacancy in the chairmanship the remaining members of the vacancy board shall*, petition the court of common pleas to fill the vacancy by appointing a registered elector of the ward or township, as the case may be, in which the vacancy occurs. *In the case where there are vacancies in a majority of the offices of commissioners, the court of common pleas shall fill such vacancies upon presentation of petition signed by not less than fifteen (15) registered electors of the township.* In all cases, the person 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 (60) days after the vacancy occurs, at which election an eligible person shall be elected

for the remainder of the term and shall have been a resident of the township continuously for at least one (1) year before his appointment. In townships divided into wards, all appointed commissioners shall reside in the ward in which the vacancy occurred and shall have resided in said ward continuously for at least one (1) year before appointment. No person who was convicted of or pled guilty or no contest to a felony shall be eligible for appointment to fill a vacancy on the board of commissioners for a period of three (3) years from the date of the conviction or plea.

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

APPROVED—The 1st day of May, A. D. 1981.

DICK THORNBURGH