

## No. 2014-74

## AN ACT

## HB 2013

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in school directors, further providing for filling of vacancies.

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

Section 1. Section 315 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended July 8, 1989 (P.L.253, No.43), is amended to read:

Section 315. Filling of Vacancies.—In case any vacancy shall occur in any board of school directors by reason of death, resignation, removal from the district, or otherwise, such vacancy shall, in a school district of the first class, be filled for the unexpired term by the court of common pleas of the county in which such school district is situated from the qualified electors of the district; and in a school district of the second, third, or fourth classes, the remaining members of the board of school directors shall, by a majority vote thereof, fill such vacancy from the qualified electors of the district within thirty (30) days thereafter. In a district of the second, third, or fourth class, the person selected to fill such vacancy shall be a qualified elector of the district and shall hold his office, if the term thereof so long continues, until the first Monday of December after the first municipal election occurring more than sixty (60) days after the vacancy shall have occurred. At such election an eligible person shall be elected for the remainder of the unexpired term. If, by reason of a tie vote or otherwise, such vacancy shall not have been filled by the board of school directors within thirty (30) days after such vacancy shall have occurred from the qualified electors of the district, the court of common pleas of the proper county, upon the petition of ten or more resident taxpayers, shall fill such vacancy by the appointment of a suitable person from the qualified electors of the district if the term of the vacant office so long continues, until the first Monday of December after the first municipal election occurring more than sixty (60) days after the vacancy shall have occurred. At such election an eligible person shall be elected for the remainder of the unexpired term. When any member of a board of school directors heretofore or hereafter enlists or is inducted into the military or naval forces of the United States in time of war, *or is called to active duty in the military or naval forces of the United States*, a temporary vacancy shall be declared, which shall be filled by the remaining members of the board or the court, as the case may be from the qualified electors of the district, until the return of such member of the board from the military or naval service, or until the expiration of the term for which he shall have been elected, whichever shall be the shorter period.

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

APPROVED—The 26th day of June, A.D. 2014

TOM CORBETT