

No. 1981-10

AN ACT

HB 19

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 providing for the filling of vacancies in certain township offices.

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

Section 1. Section 414, 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), is amended to read:

Section 414. Tax Collector.—At the municipal election in the year one thousand nine hundred and forty-nine, and at the municipal election every four years thereafter, the electors of each township shall elect one tax collector to serve for a term of four years from the first Monday of January next succeeding such election. *If the electors of any township shall fail to choose a tax collector or if any person elected to such office shall fail to give the required bond or to take the required oath, such vacancy shall be filled as prescribed by section 420.*

Section 2. Section 420 of the act, amended June 15, 1978 (P.L.471, No.67), is amended to read:

Section 420. Vacancies in General.—If the electors of any township shall fail to choose a supervisor, tax collector, auditor or assessor, 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 who is a registered voter and upon their failure to make such appointment within thirty days after the vacancy occurs, the vacancy shall be filled within fifteen additional days by [a] the vacancy board. [consisting] *Such board shall consist* of the board of supervisors and one registered elector of the township, who shall be [elected] *appointed* by the board of supervisors 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 fails to fill the position within the time prescribed, 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. *In the case where two or more vacancies in the office of supervisor occur on a three member board, or three or more vacancies on a five member board, the court of common pleas shall fill such*

vacancies upon presentation of petition signed by not less than fifteen registered electors of the township. In all cases, the successor so appointed shall hold the office 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.

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

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

DICK THORNBURGH