

TO: Lester K. Fryer, Chairman, Local Government Committee  
FROM: John H. Broujos, Counsel  
SUBJECT: H.B. 2051, Printer's No. 2685 - Filling vacancy in elective offices  
REFERENCE: 53 PS 45901  
MUNICIPALITY AND LAW AFFECTED: Borough Code

PROVISIONS:

1. Purpose: To provide for election of persons to fill vacancies in borough offices

RELATED LEGISLATION: House Bill 2052 for 1st class township commissioners ; and House Bill 2053 for election of vacancy for 2nd class township supervisors.

COMMENT: Distinction between these two groups, the boroughs on the one hand and townships on the other, is that the borough amendment provides for filling vacancies in several elective borough offices whereas the township bill provides only for election of the commissioner and supervisor. This is probably because there are other provisions for appointment of successors in assessor and auditor by court ordinarily. However, the purpose of the election of the officers may still raise the question as to whether it is desirable to elect all successors to fill vacancies.

PROVISIONS:

1. Purpose: To provide for election of person to fill vacancy in a borough office.
2. Section 1 (Sec. 901): Provides that persons appointed to fill vacancies in mayor, member of council, auditor, controller, or tax collector, shall be filled by election at the next municipal election; after the initial appointment.

COMMENT: Same comments as for House Bill 2053 apply.