

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1036 Session of
2019

INTRODUCED BY MOUL, JAMES, EVERETT, FREEMAN AND SAPPEY,
APRIL 5, 2019

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 5, 2019

AN ACT

1 Amending Title 8 (Boroughs and Incorporated Towns) of the
2 Pennsylvania Consolidated Statutes, in elections of officers,
3 further providing for decrease in number of members of
4 council.

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

7 Section 1. Section 818(a) and (b) of Title 8 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 818. Decrease in number of members of council.

10 (a) Petition by electors.--The court of common pleas [may]
11 shall, upon petition of at least 5% of the registered electors
12 of any borough not divided into wards, which, according to the
13 latest official census, had a population of not more than 3,000,
14 certify the question of a proposal to reduce the total number of
15 members of council for the borough from seven to five or to
16 three[.], as specified by the petition, to the board of election
17 of the county for a referendum vote of the residents at the next
18 general election held not sooner than the thirteenth Tuesday
19 after the date of the petition. The sufficiency of the number of

1 signers to the petition shall be ascertained as of the date when
2 the petition is presented to court. Upon receipt of the
3 certified election results, the court shall enter a final decree
4 granting or denying the request of the petitioners. A petition
5 under this section may not be considered more than once in five
6 years.

7 [(b) Notice.--The court shall give notice of the filing of
8 the petition by advertisement in the legal newspaper of the
9 county, if one is published in the county, and in one newspaper
10 of general circulation and fix a day and time for hearing. After
11 the hearing, the court may decrease the number of members of
12 council elected in the borough from seven to five or to three,
13 as requested in the petition.]

14 * * *

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