

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1876 Session of 2025

INTRODUCED BY GUZMAN, HILL-EVANS AND DONAHUE, SEPTEMBER 23, 2025

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, SEPTEMBER 25, 2025

AN ACT

1 Amending Titles 11 (Cities) and 16 (Counties) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 vacancies in elected offices in cities of the first class,
4 cities of the second class, cities of the second class A and
5 cities of the third class; in county commissioners and chief
6 clerks, further providing for election and vacancies; and
7 making repeals.

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

10 Section 1. Part II heading of Title 11 of the Pennsylvania
11 Consolidated Statutes is amended to read:

12 PART II

13 FIRST CLASS CITIES

14 [(Reserved)]

15 Section 2. Part II of Title 11 is amended by adding chapters
16 to read:

17 CHAPTER 21

18 PRELIMINARY PROVISIONS

19 § 2101. Definitions.

20 The following words and phrases when used in this part shall
21 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "City." A city of the first class.

3 CHAPTER 28

4 VACANCIES IN OFFICE

5 § 2801. Council and office of mayor.

6 (a) Special election.--If a vacancy occurs in the office of
7 mayor or other member of council in a city by reason of death,
8 resignation, removal or otherwise, the vacancy shall be filled
9 by a special election conducted in accordance with this section.

10 (b) Temporary appointment.--

11 (1) The governing body of a city may appoint an interim
12 officer to temporarily discharge the duties of the office
13 until the results of the special election are certified.

14 (2) An interim officer under this subsection may not be
15 eligible to be a candidate in the subsequent special election
16 for the same office.

17 (c) Timing of election.--

18 (1) The county board of elections in the county of the
19 vacancy shall schedule a special election to be held not
20 later than 90 days from the date on which the vacancy is
21 declared.

22 (2) If the office is subject to partisan election, each
23 political party entitled under law shall nominate candidates
24 through a special primary election to be held not later than
25 60 days from the date the vacancy is declared. A special
26 election shall be held not later than 30 days following the
27 certification of results of the special primaries.

28 (d) Term of office.--The officer elected in the special
29 election under this section shall serve for the remainder of the
30 unexpired term.

1 Section 3. Part III heading of Title 11 is amended to read:

2 PART III

3 SECOND CLASS CITIES

4 [(Reserved)]

5 Section 4. Part III of Title 11 is amended by adding
6 chapters to read:

7 CHAPTER 31

8 PRELIMINARY PROVISIONS

9 § 3101. Definitions.

10 The following words and phrases when used in this part shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "City." A city of the second class.

14 CHAPTER 38

15 VACANCIES IN OFFICE

16 § 3801. Council and office of mayor.

17 (a) Special election.--If a vacancy occurs in the office of
18 mayor or other member of council in a city by reason of death,
19 resignation, removal or otherwise, the vacancy shall be filled
20 by a special election conducted in accordance with this section.

21 (b) Temporary appointment.--

22 (1) The governing body of a city may appoint an interim
23 officer to temporarily discharge the duties of the office
24 until the results of the special election are certified.

25 (2) An interim officer under this subsection may not be
26 eligible to be a candidate in the subsequent special election
27 for the same office.

28 (c) Timing of election.--

29 (1) The county board of elections in the county of the
30 vacancy shall schedule a special election to be held not

1 later than 90 days from the date on which the vacancy is
2 declared.

3 (2) If the office is subject to partisan election, each
4 political party entitled under law shall nominate candidates
5 through a special primary election to be held not later than
6 60 days from the date the vacancy is declared. A special
7 election shall be held not later than 30 days following the
8 certification of results of the special primaries.

9 (d) Term of office.--The officer elected in the special
10 election under this section shall serve for the remainder of the
11 unexpired term.

12 Section 5. Part IV heading of Title 11 is amended to read:

13 PART IV

14 SECOND CLASS A CITIES

15 [(Reserved)]

16 Section 6. Part IV of Title 11 is amended by adding chapters
17 to read:

18 CHAPTER 41

19 PRELIMINARY PROVISIONS

20 § 4101. Definitions.

21 The following words and phrases when used in this part shall
22 have the meanings given to them in this section unless the
23 context clearly indicates otherwise:

24 "City." A city of the second class A.

25 CHAPTER 48

26 VACANCIES IN OFFICE

27 § 4801. Council and office of mayor.

28 (a) Special election.--If a vacancy occurs in the office of
29 mayor or other member of council in a city by reason of death,
30 resignation, removal or otherwise, the vacancy shall be filled

1 by a special election conducted in accordance with this section.

2 (b) Temporary appointment.--

3 (1) The governing body of a city may appoint an interim
4 officer to temporarily discharge the duties of the office
5 until the results of the special election are certified.

6 (2) An interim officer under this subsection may not be
7 eligible to be a candidate in the subsequent special election
8 for the same office.

9 (c) Timing of election.--

10 (1) The county board of elections in the county of the
11 vacancy shall schedule a special election to be held not
12 later than 90 days from the date on which the vacancy is
13 declared.

14 (2) If the office is subject to partisan election, each
15 political party entitled under law shall nominate candidates
16 through a special primary election to be held not later than
17 60 days from the date the vacancy is declared. A special
18 election shall be held not later than 30 days following the
19 certification of results of the special primaries.

20 (d) Term of office.--The officer elected in the special
21 election under this section shall serve for the remainder of the
22 unexpired term.

23 Section 7. Section 10801 of Title 11 is amended to read:

24 § 10801. Council and office of mayor.

25 [(a) Appointment.--Within 30 days of a vacancy in the office
26 of mayor or other member of council or if an elected mayor or
27 council member has failed to qualify under section 10701
28 (relating to elected officers, term, reelection and vacancy)
29 prior to taking office, council must, by a majority of council's
30 remaining members, appoint a qualified individual to fill the

1 vacant office.

2 (b) President judge.--If a council does not fill a vacancy
3 within 30 days under subsection (a) or if a vacancy exists in
4 the offices of at least a majority of the members of council,
5 including the position of mayor, the president judge of the
6 court of common pleas having jurisdiction within the city, must
7 fill each vacancy upon either the petition of at least 10
8 qualified electors of the city or the petition of a majority of
9 the remaining members of council.

10 (c) Term.--A individual appointed under subsection (a) or
11 (b) shall serve for the lesser of the following terms:

12 (1) The remainder of the unexpired term of the office to
13 which the individual is appointed.

14 (2) Until the first Monday of January after the next
15 municipal election occurring at least 30 days after the
16 vacancy occurred.

17 (d) Unexpired term.--If necessary to fill the unexpired term
18 of the individual originally elected to an office that has
19 become vacant, an individual shall be elected at the municipal
20 election referred to under subsection (c)(2) to serve from the
21 first Monday of January after the election for the remainder of
22 the unexpired term.]

23 (e) Special election.--If a vacancy occurs in the office of
24 mayor or other member of council in a city by reason of death,
25 resignation, removal or otherwise, the vacancy shall be filled
26 by a special election conducted in accordance with this section.

27 (f) Temporary appointment.--

28 (1) The governing body of a city may appoint an interim
29 officer to temporarily discharge the duties of the office
30 until the results of the special election are certified.

1 (2) An interim officer under this subsection may not be
2 eligible to be a candidate in the subsequent special election
3 for the same office.

4 (g) Timing of election.--

5 (1) The county board of elections in the county of the
6 vacancy shall schedule a special election to be held not
7 later than 90 days from the date on which the vacancy is
8 declared.

9 (2) If the office is subject to partisan election, each
10 political party entitled under law shall nominate candidates
11 through a special primary election to be held not later than
12 60 days from the date the vacancy is declared. A special
13 election shall be held not later than 30 days following the
14 certification of results of the special primaries.

15 (h) Term of office.--The officer elected in the special
16 election under this section shall serve for the remainder of the
17 unexpired term.

18 Section 8. Section 12501(b) of Title 16, added May 8, 2024
19 (P.L.50, No.14), is amended to read:

20 § 12501. Election and vacancies.

21 * * *

22 (b) Vacancy.--[A vacancy in the office of county
23 commissioners shall be filled for the balance of the unexpired
24 term by the court of common pleas of the county in which the
25 vacancy occurs by the appointment of a registered elector of the
26 county who was a member of the same political party as the
27 vacating county commissioner at the time the vacating county
28 commissioner was elected.]

29 (1) If a vacancy occurs in the office of county
30 commissioner by reason of death, resignation, removal or

1 otherwise, the vacancy shall be filled in accordance with
2 this subsection.

3 (2) The remaining county commissioners may appoint an
4 interim commissioner to temporarily discharge the duties of
5 the office until the results of the special election are
6 certified. An interim appointee shall not be eligible to be a
7 candidate in the subsequent special election for the same
8 office.

9 (3) The county board of elections in the county of the
10 vacancy shall schedule a special election to be held not
11 later than 90 days from the date on which the vacancy is
12 declared.

13 (4) If the office is subject to partisan election, each
14 political party entitled under law shall nominate candidates
15 through a special primary election to be held not later than
16 60 days from the date the vacancy is declared. The special
17 election shall be held not later than 30 days following the
18 certification of results of the special primaries.

19 (5) A county commissioner elected under this subsection
20 shall serve for the remainder of the unexpired term.

21 Section 9. Repeals are as follows:

22 (1) The General Assembly declares that the repeals under
23 paragraph (2) are necessary to effectuate the addition of 11
24 Pa.C.S. Ch. 28.

25 (2) All of the following are repealed:

26 (i) Article II, section 4 of the act of June 25,
27 1919 (P.L.581, No.274), referred to as the First Class
28 City Government Law.

29 (ii) Article IV, section 2(b) of the First Class
30 City Government Law.

1 (iii) Article XVI, section 2 of the First Class City
2 Government Law.

3 (3) The General Assembly declares that the repeal under
4 paragraph (4) is necessary to effectuate the addition of 11
5 Pa.C.S. Ch. 38.

6 (4) Article I, section 1 of the act of March 7, 1901
7 (P.L.20, No.14), referred to as the Second Class City Law, is
8 repealed insofar as it is inconsistent with the addition of
9 11 Pa.C.S. Ch. 38.

10 Section 10. This act shall take effect in 60 days.