
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 280

Session of
1977

INTRODUCED BY DWYER, LEWIS, ZEMPRELLI, HOWARD, FRAME, HESS,
HILL AND HOPPER, FEBRUARY 8, 1977

REFERRED TO CONSTITUTIONAL CHANGES AND FEDERAL RELATIONS,
FEBRUARY 8, 1977

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania providing for filling vacancies in the office
3 of justice, judge or justice of the peace.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of
7 the Commonwealth of Pennsylvania is proposed in accordance with
8 the provisions of Article XI thereof:

9 That subsection (b) of section 13 of Article V of the
10 Constitution of the Commonwealth of Pennsylvania be amended to
11 read:

12 § 13. Election of justices, judges and justices of the peace;
13 vacancies.

14 * * *

15 (b) A vacancy in the office of justice, judge or justice of
16 the peace shall be filled by appointment by the Governor. The
17 appointment shall be with the advice and consent of two-thirds
18 of the members elected to the Senate, except in the case of

1 justices of the peace which shall be by a majority. The person
2 so appointed shall serve for [an initial] a term ending on the
3 first Monday of January following the next municipal election
4 more than ten months after the vacancy occurs or for the
5 remainder of the unexpired term whichever is less.

6 * * *

7 Section 2. This proposed amendment shall be submitted by the
8 Secretary of the Commonwealth to the qualified electors of the
9 State, at the primary, municipal, or general election next held
10 after the advertising requirements of Article XI, section 1 of
11 the Constitution of the Commonwealth of Pennsylvania have been
12 satisfied.