

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2265 Session of 2024

INTRODUCED BY DONAHUE, HILL-EVANS, PROBST, BOYD, DELLOSO, CERRATO, SANCHEZ, D. WILLIAMS, YOUNG, BURGOS, GALLAGHER, McNEILL AND MALAGARI, MAY 3, 2024

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 27, 2024

AN ACT

1 Amending Title 8 (Boroughs and Incorporated Towns) of the
2 Pennsylvania Consolidated Statutes, in powers and duties of
3 elected officials, further providing for organization of
4 council, quorum, participation by telecommunication device,
5 voting, compensation and eligibility; and, in mayor, further
6 providing for salary of mayor.

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

9 Section 1. Section 1001(e) AND (F) of Title 8 of the <--
10 Pennsylvania Consolidated Statutes ~~is~~ ARE amended and the <--
11 section is amended by adding a subsection to read:

12 § 1001. Organization of council, quorum, participation by
13 telecommunication device, voting, compensation and
14 eligibility.

15 * * *

16 (e) Compensation.--Members of council may receive
17 compensation to be fixed by ordinance as follows:

18 (1) In boroughs with a population of less than 5,000, a
19 maximum of [~~\$1,875~~] \$3,145 per year.

1 (2) In boroughs with a population of 5,000 or more but
2 less than 10,000, a maximum of [~~\$2,500~~] \$4,190 per year.

3 (3) In boroughs with a population of 10,000 or more but
4 less than 15,000, a maximum of [~~\$3,250~~] \$5,450 per year.

5 (4) In boroughs with a population of 15,000 or more but
6 less than 25,000, a maximum of [~~\$4,125~~] \$6,915 per year.

7 (5) In boroughs with a population of 25,000 or more but
8 less than 35,000, a maximum of [~~\$4,375~~] \$7,335 per year.

9 (6) In boroughs with a population of 35,000 or more, a
10 maximum of [~~\$5,000~~] \$8,385 per year.

11 The salaries shall be payable monthly or quarterly for the
12 duties imposed by this part. Benefits provided to members of
13 council under section 1202(26) (relating to specific powers)
14 shall not be considered pay, salary or compensation, but payment
15 for all or a part of the premiums or charges for the benefits
16 shall be in accordance with section 1202(26). Any change in
17 salary, compensation or emoluments of the elected office shall
18 become effective at the beginning of the next term of the member
19 of council.

20 (e.1) Alternative compensation.--Notwithstanding subsection
21 (e), the council may provide that members of the council shall
22 receive compensation on a per-meeting basis based on attendance
23 of members of council. Total annual compensation may not exceed
24 the amounts specified in subsection (e). Compensation shall only
25 be payable for duly advertised public meetings in which a member
26 of council participated. If the council has provided that <--
27 members of council shall receive compensation on a per meeting
28 basis, the council may provide for the forfeiture of up to 1/12
29 of the annual compensation of a member of council or impose
30 another appropriate penalty for each unexcused absence from a

1 regularly scheduled meeting.

2 * * *, EXCEPT COMPENSATION IS NOT PAYABLE IF A MEMBER OF <--
3 COUNCIL IS ABSENT FROM A MEETING AND THE ABSENCE IS NOT EXCUSED.
4 EXCUSED ABSENCE FROM A MEETING SHALL BE DETERMINED BY COUNCIL
5 AND SHALL INCLUDE, BUT NOT BE LIMITED TO, AN EMERGENCY OR
6 ILLNESS OF THE MEMBER OF COUNCIL OR THE MEMBER'S IMMEDIATE
7 FAMILY, AS WELL AS FAMILY OR BUSINESS TRAVEL. COUNCIL MAY
8 REQUIRE DOCUMENTATION TO SUPPORT AN EXCUSED ABSENCE.

9 (F) ELIGIBILITY FOR COMPENSATION.--THE POPULATION SHALL BE
10 DETERMINED BY THE LATEST AVAILABLE OFFICIAL CENSUS FIGURES[.],
11 EXCEPT THAT A BOROUGH SHALL NOT BE REQUIRED TO REDUCE THE SALARY
12 OF A MAYOR OR MEMBER OF COUNCIL AS A RESULT OF A DECREASE IN
13 POPULATION. IN NO CASE SHALL THE COMPENSATION FOR ANY MEMBER OF
14 COUNCIL EXCEED THAT OF THE MAYOR IN ANY GIVEN BOROUGH, BUT, IF
15 THE MAYOR'S COMPENSATION EXCEEDS THAT AUTHORIZED BY THIS SECTION
16 FOR MEMBERS OF COUNCIL, THE PRESIDENT OF COUNCIL MAY RECEIVE
17 COMPENSATION NOT TO EXCEED THAT OF THE OFFICE OF MAYOR.

18 Section 2. Section 10A04(a) of Title 8 is amended to read:
19 § 10A04. Salary of mayor.

20 (a) General rule.--The salary of the mayor shall be
21 established by ordinance and shall not exceed the following:

22 (1) In a borough with a population of less than 5,000, a
23 maximum of [~~\$2,500~~] \$4,190 per year.

24 (2) In a borough with a population of 5,000 or more but
25 less than 10,000, a maximum of [~~\$5,000~~] \$8,385 per year.

26 (3) In a borough with a population of 10,000 or more but
27 less than 15,000, a maximum of [~~\$7,500~~] \$12,575 per year.

28 (4) In a borough with a population in excess of 15,000,
29 a maximum of [~~\$500~~] \$840 per year per 1,000 residents or
30 fraction of 1,000, the population to be determined by the

1 latest official census figures.

2 * * *

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