

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 570 Session of  
2023

---

INTRODUCED BY ZIMMERMAN, T. DAVIS, GREINER, BURGOS AND M. JONES,  
MARCH 20, 2023

---

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 20, 2023

---

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled  
2 "An act concerning townships of the first class; amending,  
3 revising, consolidating, and changing the law relating  
4 thereto," in township engineer, further providing for  
5 township engineer and providing for waiver.

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

8 Section 1. Section 1301 of the act of June 24, 1931  
9 (P.L.1206, No.331), known as The First Class Township Code, is  
10 amended to read:

11 Section 1301. Township Engineer.--

12 (a) [The] Subject to section 1301.1, the board of  
13 commissioners [may appoint and determine the compensation of a  
14 township engineer who must be a registered professional  
15 engineer] shall appoint, through a competitive bid process, and  
16 determine the compensation of at least two township engineers.  
17 The township [engineer serves] engineers serve at the pleasure  
18 of the board of commissioners.

19 (b) As used in this article, the term "engineer" means one

1 or more registered professional engineers or a firm of  
2 registered professional engineers.

3 Section 2. The act is amended by adding a section to read:

4 Section 1301.1. Waiver.--(a) If the board of commissioners  
5 cannot obtain offers from qualified registered civil engineers  
6 to fulfill the requirement under section 1301 to appoint at  
7 least two township engineers, the board of commissioners may be  
8 relieved from the requirement by completing a certification  
9 form, subject to the following:

10 (1) The board of commissioners must complete the  
11 certification form before the contract with the selected  
12 township engineer is executed and must maintain the form  
13 throughout the life of the contract with the township engineer.

14 (2) The certification form must be completed annually.

15 (3) A copy of the certification form must be filed with the  
16 department.

17 (4) The department shall furnish the certification form,  
18 which must:

19 (i) Require the board of commissioners to disclose the  
20 methods and dates of the public solicitation. For purposes of  
21 meeting this requirement, the board of commissioners shall  
22 advertise requests for proposals and announce the solicitation  
23 at a public meeting.

24 (ii) Require the board of commissioners to disclose the  
25 number of qualified bids received in response to the public  
26 solicitation.

27 (iii) Contain a statement that the information provided by  
28 the board of commissioners is in compliance with 18 Pa.C.S. §  
29 4904 (relating to unsworn falsification to authorities).

30 (iv) Contain a statement that the department does not have

1 the discretion to deny waiver requests.

2 (b) As used in this section, the term "department" means the  
3 Department of Labor and Industry of the Commonwealth.

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