
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 41

Session of
1993

INTRODUCED BY HOLL, JANUARY 5, 1993

REFERRED TO JUDICIARY, JANUARY 5, 1993

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 appeals from government agencies; and making an editorial
4 change.

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

7 Section 1. Section 933(a) of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 933. Appeals from government agencies.

10 (a) General rule.--Except as otherwise prescribed by any
11 general rule adopted pursuant to section 503 (relating to
12 reassignment of matters), each court of common pleas shall have
13 jurisdiction of appeals from final orders of government agencies
14 in the following cases:

15 (1) Appeals from Commonwealth agencies in the following
16 cases:

17 (i) Determinations of the Department of Health in
18 connection with any matters concerning birth records.

1 Except as prescribed by general rules, the venue of such
2 matters shall be as provided in 20 Pa.C.S. § 711(9)
3 (relating to birth records) and 20 Pa.C.S. § 713
4 (relating to special provisions for Philadelphia County).

5 (ii) Determinations of the Department of
6 Transportation appealable under the following provisions
7 of Title 75 (relating to vehicles):

8 Section 1377 (relating to judicial review of
9 denial or suspension of registration).

10 Section 1550 (relating to judicial review).

11 Section 4724(b) (relating to judicial review).

12 Section 7303(b) (relating to judicial review).

13 Section 7503(b) (relating to judicial review).

14 Except as otherwise prescribed by general rules, the
15 venue shall be in the county of the principal place of
16 business of any salvor or messenger service, the location
17 of any inspection station involved, the county where the
18 arrest for a violation of 75 Pa.C.S. § 3731 (relating to
19 driving under influence of alcohol or controlled
20 substance) was made in appeals involving the suspension
21 of operating privileges under 75 Pa.C.S. § 1547 (relating
22 to chemical testing to determine amount of alcohol or
23 controlled substance) or the residence of any individual
24 appellant where the venue is not otherwise fixed by this
25 sentence. In the case of a nonresident individual venue,
26 except as otherwise prescribed by general rules, shall be
27 in the county in which the offense giving rise to the
28 recall, cancellation, suspension or revocation of
29 operating privileges occurred.

30 (iii) Determinations of the Secretary of the

Commonwealth appealable under the act of June 3, 1937 (P.L.1333, No.320), known as the ["]Pennsylvania Election Code,["] except matters involving Statewide office.

Except as otherwise prescribed by general rules, the venue of such matters shall be as provided in the act.

(iv) Determinations of the Workmen's Compensation Appeal Board appealable under the act of June 21, 1939 (P.L.566, No.284), known as ["]The Pennsylvania Occupational Disease Act.["] Except as otherwise prescribed by general rules, the venue of such matters shall be as provided in section 427 of the act.

(v) Determinations of the Pennsylvania Liquor Control Board appealable under the act of April 12, 1951 (P.L.90, No.21), known as the ["]Liquor Code,["] except matters appealable under section 433, 444 or 710 of the act. Except as otherwise prescribed by general rules, the venue of such matters shall be as provided in the act.

(vi) Determinations of the Department of Revenue reviewable under [the act of June 15, 1961 (P.L.373, No.207), known as the "Inheritance and Estate Tax Act of 1961,"] Article XXI of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971 or under any predecessor statute, in connection with the administration of the estate of a decedent. Except as otherwise prescribed by general rules, the venue of such matters shall be in the court having jurisdiction over the administration of the related estate.

(vii) Except where an employee of the Commonwealth is involved, determinations of the Pennsylvania Labor Relations Board under the act of July 23, 1970 (P.L.563,

1 No.195), known as the ["Public Employee Relations Act.["]
2 Except as otherwise prescribed by general rules, venue
3 shall be in any county where the unfair labor practice in
4 question was alleged to have been engaged in, or wherein
5 the appellant or employer in a representation case
6 resides or transacts business.

7 (viii) Determinations of an arbitration panel
8 established under the act of October 15, 1975 (P.L.390,
9 No.111), known as the ["Health Care Services Malpractice
10 Act.["] Except as otherwise prescribed by general rules,
11 venue shall be in the county where the cause of action
12 arose.

13 (ix) Determinations of the Department of Labor and
14 Industry or the Department of Commerce reviewable under
15 the act of December 15, 1980 (P.L.1203, No.222), known as
16 the ["Building Energy Conservation Act.["] Except as
17 otherwise prescribed by general rules, venue shall be in
18 the county where the building is located.

19 (2) Appeals from government agencies, except
20 Commonwealth agencies, under Subchapter B of Chapter 7 of
21 Title 2 (relating to judicial review of local agency action)
22 or otherwise.

23 (3) Appeals jurisdiction of which is vested in the
24 courts of common pleas by any statute hereafter enacted.

25 * * *

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