

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2661 Session of
1976

INTRODUCED BY REED, CIMINI AND GRIECO, SEPTEMBER 22, 1976

REFERRED TO COMMITTEE ON LAW AND JUSTICE, SEPTEMBER 22, 1976

AN ACT

1 Amending the act of August 9, 1955 (P.L.323, No.130), entitled
2 "An act relating to counties of the third, fourth, fifth,
3 sixth, seventh and eighth classes; amending, revising,
4 consolidating and changing the laws relating thereto,"
5 providing for a full-time district attorney in certain
6 instances in fifth and sixth class counties, setting his
7 salary and making repeals.

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

10 Section 1. The first paragraph of subsection (g) of section
11 1401, act of August 9, 1955 (P.L.323, No.130), known as "The
12 County Code," added June 24, 1976 (No.107), is amended to read:

13 Section 1401. District Attorney; Qualifications;
14 Eligibility; Compensation.--* * *

15 (g) The commissioners of any county of the third [or fourth]
16 fourth, fifth or sixth class may by ordinance fix the services
17 of the district attorney at full time. Such determination may be
18 made at any time, provided that the determination shall not be
19 made between the first day for the circulation of nominating
20 petitions for the office of district attorney and January of the
21 subsequent year. The president judge of the court of common

1 pleas of the judicial district and the district attorney may
2 make recommendations at any time to the county commissioners on
3 the advisability of full-time service by the district attorney,
4 but the same shall not be binding on them.

5 * * *

6 Section 2. (a) Section 5 of the act of November 1, 1971
7 (P.L.495, No.113), entitled "An act providing for the
8 compensation of county officers in counties of the second
9 through eighth classes, for the disposition of fees, for filing
10 of bonds in certain cases and for duties of certain officers,"
11 is repealed insofar as inconsistent with the provisions of this
12 act.

13 (b) Any other act or part of an act inconsistent with the
14 provisions of this act are repealed to the extent of the
15 inconsistency.

16 Section 3. This act shall take effect immediately.