

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1667 Session of
1987

INTRODUCED BY DeLUCA, COWELL, PISTELLA, IRVIS, MICHLOVIC AND
TRELLO, JULY 2, 1987

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JULY 2, 1987

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,
2 as amended, "An act relating to counties of the second class
3 and second class A; amending, revising, consolidating and
4 changing the laws relating thereto," further providing for
5 the location and storage of public records; and making
6 editorial changes.

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

9 Section 1. Section 405 of the act of July 28, 1953 (P.L.723,
10 No.230), known as the Second Class County Code, is amended to
11 read:

12 Section 405. Offices, Records and Papers [to be Kept at
13 County Seat].--(a) [The] Except as otherwise provided in
14 subsection (a.1), the commissioners, controller, treasurer,
15 sheriff, recorder of deeds, prothonotary, clerk of courts [of
16 quarter sessions and oyer and terminer], clerk of the orphans'
17 court, register of wills, recorder of deeds and district
18 attorney shall keep their respective offices and all public
19 records and papers belonging thereto at the county seat and in

1 such buildings as may be erected or appropriated for such
2 purpose.

3 (a.1) The county commissioners shall have the power to keep
4 and maintain records and to contract with persons, for storage,
5 retrieval and transmission of county records within or outside
6 the county, except that no records shall be stored outside the
7 county seat without the approval of the officer in charge of the
8 office to which the records belong. The approval of the
9 president judge shall be required if records are in the custody
10 of agencies of the court of common pleas, the clerk of courts,
11 the prothonotary, the register of wills and the clerk of the
12 orphans' court. Public records stored outside of the county seat
13 shall be made accessible to the general public at the county
14 seat by means of an electronic telecopying system or facility
15 which will permit the retrieval of the records or exact copies
16 thereof within three business days.

17 (b) The county commissioners shall furnish each of such
18 officers with an office in the county building, courthouse or
19 other building at the county seat.

20 (c) Any person failing or refusing to maintain his office
21 and to keep all public records and papers belonging thereto in
22 the buildings appropriated for such purpose, in accordance with
23 the provisions of this section, shall be guilty of a
24 misdemeanor, and, upon conviction thereof, shall be sentenced to
25 undergo imprisonment until he complies with the provisions of
26 this section, or until sooner discharged by order of the court,
27 and to pay a fine not exceeding five hundred dollars, to be paid
28 to the use of the county.

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