

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1715 Session of
1997

INTRODUCED BY MILLER, CLYMER, ZIMMERMAN, ITKIN, DEMPSEY,
SCHRODER, WILT AND STERN, JULY 15, 1997

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, NOVEMBER 23, 1998

AN ACT

1 Amending the act of November 26, 1982 (P.L.744, No.203),
2 entitled "An act to ascertain and appoint the fees to be
3 received by the prothonotary of the court of common pleas of
4 the Commonwealth in home rule counties or counties of the
5 second class A and the third to eighth class; to provide the
6 time of paying the same and to repeal certain acts,"
7 providing for the establishment and modification of fees and
8 for the imposition of an additional fee.

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

11 Section 1. The act of November 26, 1982 (P.L.744, No.203),
12 referred to as the Prothonotary Fee Law, is amended by adding
13 sections to read:

14 ~~Section 1.1. Establishment and modification of fees.~~ <—

15 ~~In home rule counties or counties of the third through eighth~~
16 ~~class on or after the effective date of this section, the~~
17 ~~prothonotary may establish, increase, decrease, modify or~~
18 ~~eliminate fees and charges with the approval of the president~~
19 ~~judge.~~

20 SECTION 1.1. INCREASING EXISTING FEES. <—

1 (A) GENERAL RULE.--IN HOME RULE COUNTIES AND COUNTIES OF THE <—
2 SECOND CLASS A AND THE THIRD THROUGH EIGHTH CLASS, INCLUDING <—
3 HOME RULE COUNTIES OF THE SAME CLASS, THE PROTHONOTARY MAY
4 INCREASE ANY FEE OR CHARGE THAT EXISTS AS OF THE EFFECTIVE DATE
5 OF THIS SECTION WITH THE APPROVAL OF THE PRESIDENT JUDGE. THE
6 AMOUNT OF ANY INCREASE MAY NOT BE GREATER THAN THE AGGREGATE OF
7 THE CONSUMER PRICE INDEX FROM THE MONTH IN WHICH THE FEE WAS
8 LAST ESTABLISHED THROUGH JUNE, 1998.

9 (B) PERIODIC ADJUSTMENT.--THE AMOUNT OF ANY FEE OR CHARGE
10 INCREASED PURSUANT TO SUBSECTION (A) MAY BE INCREASED EVERY
11 THREE YEARS, PROVIDED THAT THE AMOUNT OF THE INCREASE MAY NOT BE
12 GREATER THAN THE PERCENTAGE OF INCREASE IN THE CONSUMER PRICE
13 INDEX FOR URBAN WORKERS FOR THE IMMEDIATE THREE YEARS PRECEDING
14 THE LAST INCREASE IN THE FEE OR CHARGE.

15 Section 1.2. ~~Additional fee for automation of~~ AUTOMATION FEE <—
16 FOR prothonotary's office.

17 ~~An additional fee~~ IN ADDITION TO ANY OTHER FEE AUTHORIZED BY <—
18 LAW, AN AUTOMATION FEE OF NOT MORE THAN \$5 may be charged and
19 collected by the prothonotary of the court of common pleas of <—
20 ~~home rule counties or counties of the~~ AND COUNTIES OF THE SECOND <—
21 CLASS A AND THE third through eighth class, INCLUDING HOME RULE <—
22 COUNTIES OF THE SAME CLASS, for the initiation of any action or
23 legal proceeding. The ~~additional~~ AUTOMATION fee shall be <—
24 deposited into a special prothonotary automation fund
25 established in each county. Moneys in the special fund shall be
26 used solely for the purpose of automation and continued
27 automation update of the office of the prothonotary.

28 Section 2. This act shall take effect in 30 days.