

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1499 Session of
1977

INTRODUCED BY SPITZ, ZEARFOSS, FREIND, BURD, LIVENGOD, DAVIES,
GEESEY, MILLIRON, LYNCH AND RYAN, JULY 15, 1977

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JULY 15, 1977

AN ACT

1 Amending the act of May 9, 1949 (P.L.927, No.261), entitled, as
2 amended, "An act fixing and regulating the fees, commissions,
3 mileage and other costs chargeable by the sheriff in counties
4 of the second, second A, third, fourth, fifth, sixth, seventh
5 and eighth classes for their official acts and the services
6 of their deputies, watchmen, appraisers and other agents;
7 requiring prepayment of same, unless secured or chargeable to
8 the county, and delivery of itemized receipts therefor;
9 requiring certain payments by the county, including the
10 compensation of special deputies; providing for the taxation
11 and collection of fees, commissions, mileage and other costs;
12 requiring salaried sheriffs to account to the county for
13 certain fees and commissions collected; and repealing
14 inconsistent laws, general, special or local," changing fees
15 for mileage of sheriffs.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Clauses (h) and (m) of section 1, act of May 9,
19 1949 (P.L.927, No.261), referred to as the Sheriff Fee Law of
20 1949, amended July 21, 1970 (P.L.500, No.175), are amended to
21 read:

22 Section 1. In all counties of the second, second A, third,
23 fourth, fifth, sixth, seventh and eighth classes, the fees and
24 costs, including commissions and mileage, to be charged and

1 received by the sheriff from persons or counties requiring their
2 services shall be as follows:

3 * * *

4 (h) For executing any process, warrant, capias, attachment,
5 decree, sentence or order of court, issued out of any court,
6 where any person or the defendant's body is taken into custody,
7 to be paid by the county when the Commonwealth is interested,
8 otherwise by the party procuring such process, writ, order or
9 decree, as follows:

10 For receiving, docketing, and making return thereof, four
11 dollars.

12 For each arrest, three dollars and mileage, in addition to
13 necessary help and expenses, including the compensation of any
14 special deputies required, who shall be paid at the rate of ten
15 dollars for eight hours' service.

16 For transportation of all prisoners, [twelve] fifteen cents
17 per mile per round trip, in addition to necessary help and
18 expenses, including the compensation of any special deputies
19 required, who shall be paid at the rate of twenty dollars for
20 eight hours' service.

21 For each commitment to jail, correctional institution,
22 asylum, or place of detention of any juvenile court, in any
23 criminal or civil case, one dollar, to be paid by the county,
24 unless otherwise provided by law.

25 For discharging any person or prisoner from any such place of
26 confinement, in any case, one dollar, to be paid by the county.

27 For executing bail-piece or taking bond in any matter,
28 whether civil or criminal, two dollars, to be paid by the person
29 benefited, unless otherwise provided by law.

30 In addition, the sheriff shall receive for the indictment, in

1 each oyer and terminer case, the sum of four dollars; and in
2 each quarter sessions court, or other county court case, the sum
3 of two dollars, to be paid by the county.

4 For each bill ignored by the grand jury, two dollars, to be
5 paid by the county.

6 For each case acted upon by any juvenile court, two dollars
7 to be paid by the county.

8 For each non-support or desertion case acted upon by any
9 court, the sum of two dollars, to be paid by the county.

10 * * *

11 (m) For mileage in serving or executing any of the writs,
12 official notices, rules, decrees, orders or processes, or copies
13 thereof, or performing any of the duties or services herein
14 specified or authorized by law, the sheriff shall be entitled to
15 charge and receive, and may tax as official costs, [twelve]
16 fifteen cents a mile circular for each mile necessary to be
17 traveled by him or any of his deputies or employes, and the same
18 shall be allowed upon each separate writ, rule, order, decree,
19 process or notice served, or service performed: Provided, That
20 he shall not receive more than one mileage where the plaintiff
21 and defendant in two or more contemporaneous writs are the same,
22 or when conducting two or more persons or prisoners at one time
23 to or from a place of detention or correction, but he shall also
24 receive the aforesaid mileage for transporting such prisoners
25 and his deputies guarding them, and meals and lodging during the
26 journey and the return of his deputies.

27 * * *

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