

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2184

Session of
1980

INTRODUCED BY MESSRS. SPENCER, BERSON, W. D. HUTCHINSON, PICCOLA
AND D. M. FISHER, JANUARY 25, 1980

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, JANUARY 30, 1980

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for the
3 jurisdiction of the Supreme Court of Pennsylvania.

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

6 Section 1. Section 722 of Title 42, act of November 25, 1970
7 (P.L.707, No.230), known as the Pennsylvania Consolidated
8 Statutes, is amended to read:

9 § 722. Direct appeals from courts of common pleas.

10 The Supreme Court shall have exclusive jurisdiction of
11 appeals from final orders of the courts of common pleas in the
12 following classes of cases:

13 (1) [Felonious homicide.] Matters prescribed by general
14 rule.

15 (2) The right to public office.

16 (3) [Matters decided in the orphans' court division.]
17 Matters where the qualifications, tenure or right to serve,

1 or the manner of service, of any member of the judiciary is
2 drawn in question. ~~or where the matter has been initiated by~~ <—
3 ~~the agency vested with the power to raise questions as to the~~
4 ~~conduct of judicial officers, including the power to~~
5 ~~discipline or recommend the discipline of judicial officers.~~

6 (4) [Direct criminal contempt in the courts of common
7 pleas and other contempt proceedings in the courts of common
8 pleas relating to orders which are appealable directly to the
9 Supreme Court.] Automatic review of sentences as provided by
10 18 Pa.C.S. § 1311(h) (relating to review of death sentence).

11 (5) Supersession of a district attorney by an Attorney
12 General or by a court.

13 (6) Matters where the right or power of the Commonwealth
14 or any political subdivision to create or issue indebtedness
15 is drawn in direct question.

16 (7) Matters where the court of common pleas has held
17 invalid as repugnant to the Constitution, treaties or laws of
18 the United States, or to the Constitution of this
19 Commonwealth, any treaty or law of the United States or any
20 provision of the Constitution of, or of any statute of, this
21 Commonwealth, or any provision of any home rule charter.

22 (8) Matters where the right to practice law is drawn in
23 direct question. [or where the matter has been initiated by <—
24 the agency vested with the power to discipline or recommend
25 the discipline of attorneys at law.] <—

26 Section 2. Section 723 of Title 42 is amended to read:

27 § 723. Appeals from Commonwealth Court.

28 [(a) General rule.--]The Supreme Court shall have exclusive
29 jurisdiction of appeals from final orders of the Commonwealth
30 Court entered in any matter which was originally commenced in

1 said court and which does not constitute an appeal to the
2 Commonwealth Court from another court, a district justice or
3 another government unit.

4 [(b) Board of Finance and Revenue matters.--Any final order
5 of the Commonwealth Court entered in any appeal from a decision
6 of the Board of Finance and Revenue shall be appealable to the
7 Supreme Court, as of right, under this section.]

8 Section 3. This act shall take effect in 60 days.