

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 493 Session of
2005

INTRODUCED BY PISTELLA, BELFANTI, BUNT, CALTAGIRONE, DALEY,
DERMODY, GERGELY, JAMES, KOTIK, MCGEEHAN, PALLONE, PETRONE,
READSHAW, SHANER, WOJNAROSKI AND YOUNGBLOOD,
FEBRUARY 14, 2005

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 14, 2005

AN ACT

1 Amending the act of June 12, 1919 (P.L.476, No.240), entitled,
2 as amended, "An act to regulate and establish the fees to be
3 charged and collected by the recorder of deeds, in counties
4 of the second class," providing for additional fees; and
5 establishing a County Records Improvement Fund.

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

8 Section 1. The act of June 12, 1919 (P.L.476, No.240),
9 referred to as the Second Class County Recorder of Deeds Fee
10 Law, is amended by adding a section to read:

11 Section 3. (a) There is hereby established a County Records
12 Improvement Fund in counties of the second class.

13 (b) In addition to the fee charged by a recorder of deeds, a
14 fee in the amount of five dollars (\$5.00) shall be charged and
15 collected for each document recorded. The fee shall be
16 distributed in the following manner:

17 (1) The amount of three dollars (\$3.00) shall be retained in
18 a separate fund within the office of the recorder of deeds to be

used, in accordance with regular county budgeting, contracting and procurement practices, to support development and improvement of office records management activities and systems in the office of the recorder of deeds. Amounts in the separate fund shall not be used to substitute any allocations of general revenues for the operation of the recorder's office without the express consent of the recorder. The separate fund shall be audited by the appropriate auditing agency, and any unexpended balance, together with interest earned on the separate fund, shall be left in the separate fund to accumulate from year to year. Beginning with the close of the fiscal year four years after the effective date of this section and every four years thereafter, any unencumbered funds remaining in the separate fund shall be transferred to the County Records Improvement Fund.

(2) The amount of two dollars (\$2.00) shall be deposited in the County Records Improvement Fund for use as prescribed in subsection (c).

(c) Funds deposited in the County Records Improvement Fund shall be expended in accordance with a comprehensive records management plan based on the goal of standardizing and equalizing the capabilities of all county offices consistent with their need to receive, manage and provide information to the public as efficiently as possible. The plan shall be developed and administered in the following manner:

(1) Each county shall establish a County Records Improvement Committee made up of the members of county council, county chief executive, sheriff, prothonotary, clerk of court, register of wills and treasurer. The County Records Improvement Committee shall assess the relative records management capabilities and

1 records management needs of each office and develop
2 recommendations to the county council for a comprehensive
3 records management plan consistent with the goal established in
4 this subsection.

5 (2) The county council shall adopt and provide for
6 administration of a comprehensive records management plan that
7 is based on the recommendations of the County Records
8 Improvement Committee and is consistent with the goal
9 established in this subsection. The plan may be amended from
10 time to time in consultation with the County Records Improvement
11 Committee.

12 (3) The County Records Improvement Fund shall be expended
13 and administered consistent with regular county budgeting,
14 contracting and procurement practices and administrative
15 procedures. The County Records Improvement Fund shall be audited
16 by the appropriate auditing agency, and any unexpended balance,
17 together with interest earned on the County Records Improvement
18 Fund, shall be left in the County Records Improvement Fund to
19 accumulate from year to year.

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