

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 392

Session of
1979

INTRODUCED BY FISHER, McVERRY, KNEPPER, CESSAR AND SPENCER,
FEBRUARY 20, 1979

REFERRED TO COMMITTEE ON URBAN AFFAIRS, FEBRUARY 21, 1979

AN ACT

1 Amending the act of July 9, 1976 (P.L.586, No.142), entitled "An
2 act amending Titles 42 (Judiciary and Judicial Procedure), 15
3 (Corporations and Unincorporated Associations), 18 (Crimes
4 and Offenses) and 71 (State Government) of the Pennsylvania
5 Consolidated Statutes, adding revised, codified and compiled
6 provisions relating to judiciary and judicial procedure,
7 including certain judicially enforceable rights, duties,
8 immunities and liabilities and separately enacting certain
9 related provisions of law," further providing fees charged by
10 the office of the clerk of the court of common pleas of all
11 counties of the second class.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Subsection (e) of section 24, act of July 9, 1976
15 (P.L.586, No.142), known as the "Judiciary Act of 1976," is
16 amended to read:

17 Section 24. Financial matters.--* * *

18 (e) Until otherwise provided by statute, the prothonotary
19 and the clerk of the orphans' court division of all counties of
20 the second class shall set apart [the sum of 50¢] from the fees
21 fixed under or pursuant to 42 Pa.C.S. § 1725 or under any other
22 statute and collected by them on the following actions,

1 proceedings and appeals and remit monthly the total collected to
2 the county treasurer for the exclusive use and benefit of the
3 public law library in the county:

4 (1) [All] The sum of \$1.00 for all appeals to the court
5 of common pleas from any administrative [boards, agencies,
6 commissions, authorities, ordinances of local government
7 bodies, or other entities] agency, independent agency,
8 government unit, government agency, or Commonwealth agency.

9 (2) [Any] The sum of \$1.00 for any and all other appeals
10 which are filed with or are to be heard by the court of
11 common pleas which are not specifically set forth in
12 paragraph (1), including, but not limited to appeals from
13 district justices, the Pittsburgh Magistrates Court and the
14 Traffic Court of Pittsburgh.

15 (3) [Appointments] The sum of \$1.00 for appointments of
16 Boards of View.

17 (4) [Certiorari] The sum of \$1.00 for certiorari to
18 district justices and [magistrates] the Pittsburgh
19 Magistrates Court and the Traffic Court of Pittsburgh.

20 (5) [Commencement] The sum of \$1.00 for the commencement
21 of any civil action or proceeding.

22 (6) [Filing praecipis] The sum of \$1.00 for the filing
23 of a praecipis for and issuance of [writs] a writ of execution
24 or attachment.

25 (7) [Entry] The sum of \$1.00 for the entry of any
26 judgment by confession or otherwise.

27 (8) [Filing] The sum of \$1.00 for the filing of
28 adversary and amicable scire facias proceedings.

29 (9) The sum of \$1.00 for every filing with respect to
30 fictitious names, whether individual or corporate.

1 (10) The sum of \$1.00 for the probate of any will, the
2 issuance of letters of administration, or any petition for
3 disposition of decedents estates independent of the issuance
4 of letters testamentary or of administration.

5 (11) The sum of \$1.00 for the filing of any account of
6 any fiduciary in the office of the clerk of the orphans'
7 court division or in the office of the prothonotary.

8 (12) The sum of \$1.00 for the filing of any petition for
9 a writ of habeas corpus for the custody of a minor child or
10 any petition for the award of custody of a minor child.

11 [(9) Miscellaneous] (13) The sum of \$1.00 for the
12 filing of any praecipe for the issuance of any miscellaneous
13 writs or for the filing of any petition for a citation or the
14 filing of any caveat not specifically provided for in this
15 subsection.

16 * * *

17 Section 2. This act shall take effect on July 1, 1979.