

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2477 Session of
2010INTRODUCED BY FABRIZIO, J. EVANS, HARKINS, HORNAMAN AND SONNEY,
APRIL 29, 2010SENATOR EICHELBERGER, LOCAL GOVERNMENT, IN SENATE, AS AMENDED,
OCTOBER 12, 2010

AN ACT

1 Amending the act of August 9, 1955 (P.L.323, No.130), entitled,
2 as amended, "An act relating to counties of the first, third,
3 fourth, fifth, sixth, seventh and eighth classes; amending,
4 revising, consolidating and changing the laws relating
5 thereto; relating to imposition of excise taxes by counties,
6 including authorizing imposition of an excise tax on the
7 rental of motor vehicles by counties of the first class; and
8 providing for regional renaissance initiatives," further
9 providing FOR APPLICABILITY, FOR ENUMERATION OF ELECTED
10 OFFICERS AND FOR OFFICIAL RECORDS OF CORONER; ADDING
11 PROVISIONS FOR REQUIRED FISCAL SECURITY THROUGH BONDING,
12 BLANKET BONDING AND INSURING OF ELECTED AND APPOINTED COUNTY
13 OFFICERS AND EMPLOYEES; PROVIDING FOR DETERMINING THE FORM,
14 AMOUNT AND PAYMENT OF PREMIUMS FOR AND THE FILING AND
15 RECORDING OF THE REQUIRED SECURITY, FOR THE SUBSEQUENT
16 ISSUANCE OF OFFICIAL COMMISSIONS; FURTHER PROVIDING for the
17 governing board of the convention center authority; AND
18 MAKING RELATED REPEALS.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 ~~Section 1. Section 2399.61 of the act of August 9, 1955~~
22 ~~(P.L.323, No.130), known as The County Code, added October 18,~~
23 ~~2000 (P.L.541, No.73), is amended to read:~~

24 SECTION 1. THE TITLE OF THE ACT OF AUGUST 9, 1955 (P.L.323,
25 NO.130), KNOWN AS THE COUNTY CODE, AMENDED JUNE 25, 1999

1 (P.L.182, NO.25), IS AMENDED TO READ:

2 AN ACT

3 RELATING TO COUNTIES OF THE FIRST, THIRD, FOURTH, FIFTH, SIXTH,
4 SEVENTH AND EIGHTH CLASSES; AMENDING, REVISING, CONSOLIDATING
5 AND CHANGING THE LAWS RELATING THERETO; PROVIDING FOR
6 FINANCIAL SECURITY FOR OFFICERS AND EMPLOYEES IN COUNTIES
7 OTHER THAN FIRST CLASS COUNTIES; RELATING TO IMPOSITION OF
8 EXCISE TAXES BY COUNTIES, INCLUDING AUTHORIZING IMPOSITION OF
9 AN EXCISE TAX ON THE RENTAL OF MOTOR VEHICLES BY COUNTIES OF
10 THE FIRST CLASS; AND PROVIDING FOR REGIONAL RENAISSANCE
11 INITIATIVES.

12 SECTION 2. SECTION 102 OF THE ACT, AMENDED JULY 14, 2005
13 (P.L.312, NO.57), IS AMENDED TO READ:

14 SECTION 102. APPLICABILITY.--(A) EXCEPT INCIDENTALLY, AS IN
15 SECTIONS 108, 201, 210, 211, 401 AND 1401 OR AS PROVIDED IN
16 [ARTICLE] ARTICLES XV.2 AND XXX, THIS ACT DOES NOT APPLY TO
17 COUNTIES OF THE FIRST, SECOND A, OR SECOND CLASSES.

18 (B) EXCEPT WHERE OTHERWISE SPECIFICALLY LIMITED, THIS ACT
19 APPLIES TO ALL COUNTIES OF THE THIRD, FOURTH, FIFTH, SIXTH,
20 SEVENTH AND EIGHTH CLASSES.

21 SECTION 3. SECTION 401 OF THE ACT IS AMENDED BY ADDING A
22 SUBSECTION TO READ:

23 SECTION 401. ENUMERATION OF ELECTED OFFICERS.--* * *

24 (F) THE OFFICE OF JURY COMMISSIONER MAY BE ABOLISHED IN A
25 COUNTY OF THE SECOND CLASS, SECOND CLASS A OR THIRD THROUGH
26 EIGHTH CLASS IF THE GOVERNING BODY OF THE COUNTY ADOPTS, BY A
27 MAJORITY VOTE, A RESOLUTION ABOLISHING THE OFFICE OF JURY
28 COMMISSIONER. UPON APPROVAL OF THE RESOLUTION, THE OFFICE OF
29 JURY COMMISSIONER SHALL EXPIRE AT THE COMPLETION OF THE CURRENT
30 JURY COMMISSIONERS' TERMS OF OFFICE. THE RESOLUTION SHALL NOT BE

1 PASSED IN ANY YEAR IN WHICH THE OFFICE OF JURY COMMISSIONER IS
2 ON THE BALLOT.

3 SECTION 4. SUBDIVISION (B) OF ARTICLE IV AND SECTIONS 802,
4 803 AND 804 OF THE ACT ARE REPEALED:

5 [(B) OFFICIAL BONDS

6 SECTION 420. OFFICIAL BONDS; REQUIREMENTS.--EACH OF THE
7 FOLLOWING OFFICERS, BEFORE ENTERING UPON HIS OFFICIAL DUTIES,
8 WHETHER HE IS ELECTED, APPOINTED OR APPOINTED TO FILL A VACANCY,
9 SHALL GIVE AND ACKNOWLEDGE A BOND TO THE COUNTY:

- 10 (1) EACH COUNTY COMMISSIONER;
- 11 (2) THE CHIEF CLERK OF THE COUNTY COMMISSIONERS;
- 12 (3) THE CONTROLLER;
- 13 (4) THE COUNTY TREASURER;
- 14 (5) THE PROTHONOTARY;
- 15 (6) THE SHERIFF;
- 16 (7) THE CORONER;
- 17 (8) THE CLERK OF COURTS;
- 18 (9) THE CLERK OF THE ORPHANS' COURT; AND
- 19 (10) THE RECORDER OF DEEDS.

20 EVERY SUCH OFFICIAL BOND SHALL BE, JOINT AND SEVERAL, WITH
21 ONE OR MORE CORPORATE SURETIES WHICH SHALL BE SURETY COMPANIES
22 AUTHORIZED TO DO BUSINESS IN THIS COMMONWEALTH AND DULY LICENSED
23 BY THE INSURANCE COMMISSIONER OF THE COMMONWEALTH. COUNTIES MAY
24 PURCHASE INSURANCE FOR THEIR ELECTED AND APPOINTED OFFICIALS IN
25 LIEU OF FIDELITY BONDS PROVIDED THAT THE INSURANCE POLICY COVERS
26 THE SAME EVENTS OF LOSS AND INSURES THE COUNTY AGAINST THE SAME
27 MISCONDUCT AS A FIDELITY BOND IN COMPLIANCE WITH THIS ARTICLE.

28 SECTION 421. GENERAL CONDITIONS; COMMISSIONERS; TREASURER.--

29 (A) EACH OFFICIAL BOND SHALL BE CONDITIONED UPON THE FAITHFUL
30 DISCHARGE BY THE COUNTY OFFICER, HIS DEPUTIES, CLERKS,

1 ASSISTANTS AND APPOINTEES OF ALL TRUSTS CONFIDED IN HIM BY
2 VIRTUE OF HIS OFFICE, UPON THE FAITHFUL EXECUTION OF ALL DUTIES
3 REQUIRED OF HIM BY VIRTUE OF HIS OFFICE, UPON THE JUST AND
4 FAITHFUL ACCOUNTING OR PAYMENT OVER, ACCORDING TO LAW, OF ALL
5 MONEYS AND ALL BALANCES THEREOF PAID TO, RECEIVED OR HELD BY HIM
6 BY VIRTUE OF HIS OFFICE AND UPON THE DELIVERY TO HIS SUCCESSOR
7 OR SUCCESSORS IN OFFICE OF ALL BOOKS, PAPERS, DOCUMENTS OR OTHER
8 OFFICIAL THINGS HELD IN RIGHT OF HIS OFFICE.

9 (B) THE BONDS OF THE COUNTY COMMISSIONERS SHALL BE FURTHER
10 CONDITIONED UPON THE FAITHFUL AND LEGAL APPROPRIATION OF COUNTY
11 AND OTHER MONEYS IN THE COUNTY TREASURY, UPON CHECKS AND ORDERS
12 GIVEN BY THEM OR SUBJECT TO THEIR CONTROL.

13 (C) THE BOND OF THE COUNTY TREASURER SHALL BE FURTHER
14 CONDITIONED UPON A JUST ACCOUNT OF ALL MONEYS THAT MAY COME INTO
15 HIS HANDS ON BEHALF OF ANY POLITICAL SUBDIVISION WITHIN THE
16 COUNTY OR ON BEHALF OF ANY PERSON, AND FOR THE PAYMENT TO HIS
17 SUCCESSOR OF ANY BALANCES OF SUCH MONEYS REMAINING IN HIS HANDS.

18 SECTION 422. OBLIGEE'S SUITS ON BONDS.--(A) EACH OFFICIAL
19 BOND SHALL BE TAKEN IN THE NAME OF THE COUNTY, AND SHALL BE FOR
20 THE USE OF THE COUNTY AND THE COMMONWEALTH AND FOR THE USE OF
21 SUCH OTHER PERSON OR PERSONS FOR WHOM MONEY SHALL BE COLLECTED
22 OR RECEIVED, OR AS HIS OR HER INTEREST SHALL OTHERWISE APPEAR,
23 IN CASE OF A BREACH OF ANY OF THE CONDITIONS THEREOF BY THE ACTS
24 OR NEGLECT OF THE PRINCIPAL ON THE BOND.

25 (B) THE COUNTY, THE COMMONWEALTH OR ANY OTHER PERSON MAY SUE
26 UPON THE SAID BOND IN ITS OR HIS OWN NAME FOR ITS OR HIS OWN
27 USE. ACTS OF ASSEMBLY PERTAINING TO ACTIONS AND LIMITATIONS OF
28 ACTIONS UPON OFFICIAL BONDS GIVEN TO THE COMMONWEALTH SHALL
29 APPLY TO THE BONDS PROVIDED FOR IN THIS SUBDIVISION JUST AS IF
30 THEY WERE GIVEN TO THE COMMONWEALTH, EXCEPT AS OTHERWISE

1 SPECIFICALLY PROVIDED HEREIN.

2 SECTION 423. APPROVAL, SUBSTITUTION OR ADDITION OF SURETY.--

3 (A) EACH OFFICIAL BOND SHALL CONTAIN THE NAME OR NAMES OF THE
4 SURETY COMPANY OR COMPANIES BOUND THEREON, AND SHALL BE SUBJECT
5 TO THE APPROVAL OF THE COURT OF COMMON PLEAS WHICH COURT MAY
6 REQUIRE SUCH PROOFS AS TO IT APPEAR NECESSARY OR PROPER IN
7 CONNECTION WITH SUCH BONDS.

8 (B) THE COURT MAY, AT ANY TIME, UPON CAUSE SHOWN AND DUE
9 NOTICE TO THE COUNTY OFFICER AND HIS SURETY OR SURETIES, REQUIRE
10 OR ALLOW THE SUBSTITUTION OR THE ADDITION OF A SURETY COMPANY
11 ACCEPTABLE TO THE COURT FOR THE PURPOSE OF MAKING THE BOND
12 SUFFICIENT IN AMOUNT, AS REQUIRED BY LAW, WITHOUT RELEASING THE
13 SURETY OR SURETIES FIRST APPROVED FROM ANY ACCRUED LIABILITY OR
14 PREVIOUS ACTION ON SUCH BOND.

15 SECTION 424. SINGLE BOND FOR COMBINED OFFICES.--IN COUNTIES
16 WHEREIN ANY OF THE AFOREMENTIONED COUNTY OFFICES ARE COMBINED, A
17 SINGLE BOND COVERING ALL SUCH OFFICES SHALL SUFFICE FOR THE
18 OFFICER THEREOF, IF THE COURT OF COMMON PLEAS APPROVES.

19 SECTION 425. CUSTODIANS OF OFFICIAL BONDS.--THE COUNTY
20 CONTROLLER SHALL BE CUSTODIAN OF ALL OFFICIAL BONDS, EXCEPT THAT
21 OF HIS OWN OFFICE WHICH SHALL BE HELD BY THE COUNTY
22 COMMISSIONERS. IN COUNTIES NOT HAVING A CONTROLLER, THE
23 COMMISSIONERS SHALL BE CUSTODIAN OF ALL BONDS, EXCEPT THEIR OWN
24 AND THAT OF THEIR CHIEF CLERK, WHICH THE PROTHONOTARY SHALL
25 HOLD.

26 SECTION 426. ACKNOWLEDGMENT, EVIDENCE.--OFFICIAL BONDS SHALL
27 BE ACKNOWLEDGED BEFORE THE RECORDER OF DEEDS, EXCEPT THAT THE
28 LATTER OFFICER SHALL ACKNOWLEDGE HIS BOND BEFORE THE
29 PROTHONOTARY. A COPY OF ANY OFFICIAL BOND, CERTIFIED AS TRUE AND
30 CORRECT BY THE PROPER OFFICER CUSTODIAN THEREOF, SHALL BE

1 COMPETENT EVIDENCE THEREOF IN ANY JUDICIAL PROCEEDING.

2 SECTION 427. AMOUNTS OF OFFICIAL BONDS; EXCLUSIVE
3 PROVISIONS.--(A) EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED BY
4 LAW, THE AMOUNTS OF OFFICIAL BONDS SHALL BE DETERMINED BY THE
5 COUNTY COMMISSIONERS.

6 (B) EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED BY LAW, THIS
7 SUBDIVISION SHALL BE DEEMED TO CONTAIN THE EXCLUSIVE PROVISIONS
8 FOR OFFICIAL BONDS OF COUNTY OFFICERS.

9 (C) THE PROVISIONS OF THIS SUBDIVISION SHALL NOT APPLY TO
10 BONDS REQUIRED TO BE GIVEN TO THE COMMONWEALTH BY COUNTY
11 OFFICERS ACTING AS AGENTS OF THE COMMONWEALTH.

12 SECTION 428. PREMIUMS OF OFFICIAL BONDS.--THE PREMIUMS OF
13 ALL OFFICIAL BONDS, INCLUDING THE BOND OF THE REGISTER OF WILLS,
14 SHALL BE PAID BY THE COUNTY OUT OF THE COUNTY TREASURY.

15 SECTION 429. BONDS OF DEPUTIES AND OTHER APPOINTEES OF
16 COUNTY OFFICERS.--THE DEPUTIES AND OTHER APPOINTEES IN EACH
17 COUNTY OFFICE, WHO ARE REQUIRED TO RECEIVE, ACCOUNT FOR, OR HOLD
18 ANY MONEY BY VIRTUE OF THEIR OFFICE OR EMPLOYMENT, SHALL GIVE
19 AND ACKNOWLEDGE A SINGLE BOND COVERING ALL SUCH DEPUTIES AND
20 APPOINTEES PAYABLE TO THE OFFICER IN WHOSE OFFICE THEY ARE
21 EMPLOYED.

22 EVERY SUCH BOND SHALL BE, JOINT AND SEVERAL, WITH ONE OR MORE
23 CORPORATE SURETIES WHICH SHALL BE SURETY COMPANIES AUTHORIZED TO
24 DO BUSINESS IN THIS COMMONWEALTH AND DULY LICENSED BY THE
25 INSURANCE COMMISSIONER OF THE COMMONWEALTH. COUNTIES MAY
26 PURCHASE INSURANCE FOR DEPUTIES AND OTHER APPOINTEES OF COUNTY
27 OFFICERS IN LIEU OF FIDELITY BONDS PROVIDED THAT THE INSURANCE
28 POLICY COVERS THE SAME EVENTS OF LOSS AND INSURES THE COUNTY
29 AGAINST THE SAME MISCONDUCT AS A FIDELITY BOND IN COMPLIANCE
30 WITH THIS ARTICLE.

1 EACH SUCH BOND SHALL BE CONDITIONED FOR THE FAITHFUL
2 ACCOUNTING AND PAYMENT, ACCORDING TO LAW, OF ALL MONEY RECEIVED
3 BY EACH DEPUTY AND APPOINTEE BONDED, AND SHALL BE TAKEN IN THE
4 NAME OF THE COUNTY OFFICER IN WHOSE OFFICE THEY ARE EMPLOYED,
5 AND SHALL BE FOR THE USE OF THAT OFFICER, THE COUNTY AND OF THE
6 COMMONWEALTH, AND FOR THE USE OF SUCH OTHER PARTY OR PARTIES FOR
7 WHOM HE SHALL COLLECT OR RECEIVE MONEY AS THE INTEREST OF EACH
8 SHALL APPEAR IN CASE OF A BREACH OF THE CONDITIONS THEREOF. EACH
9 SUCH BOND SHALL BE PLACED IN THE CUSTODY OF THE CONTROLLER,
10 EXCEPT THOSE COVERING EMPLOYEES IN THE OFFICE OF THE CONTROLLER,
11 WHICH SHALL BE FILED IN THE OFFICE OF THE COUNTY COMMISSIONERS.

12 SECTION 430. DETERMINATION OF BONDS OF DEPUTIES AND OTHER
13 APPOINTEES.--BONDS REQUIRED TO BE GIVEN BY THE DEPUTIES AND
14 OTHER APPOINTEES OF COUNTY OFFICERS SHALL BE PAID FOR BY THE
15 COUNTY AND THE AMOUNTS THEREOF SHALL BE DESIGNATED BY THE SALARY
16 BOARD. THE SALARY BOARD SHALL DETERMINE EACH POSITION FOR WHICH
17 THE REQUIREMENT OF A BOND MAY BE JUSTIFIED AS AFORESAID, AND
18 SHALL DESIGNATE THE AMOUNT THEREOF. THE SALARY BOARD SHALL, IN
19 EACH CASE, BE CONSTITUTED THE SAME AS IF IT WERE FIXING THE
20 SALARY OF THE DEPUTY OR APPOINTEE CONCERNED.

21 SECTION 431. INSURANCE TO PROTECT AGAINST ROBBERY, BURGLARY
22 AND LARCENY; LIABILITY INSURANCE.--(A) EACH COUNTY OFFICER OR
23 EMPLOYEE WHO AS PART OF HIS OFFICIAL DUTIES HANDLES MONEY OR HAS
24 MONEY IN HIS POSSESSION AT ANY TIME SHALL, IN ADDITION TO ANY
25 BOND REQUIRED BY LAW, BE COVERED BY OR FURNISH TO THE COUNTY
26 ADEQUATE INSURANCE INDEMNIFYING AGAINST THE LOSS OF SUCH MONEY
27 THROUGH ROBBERY, BURGLARY AND LARCENY. THE COST OF SUCH
28 INSURANCE SHALL BE PAID BY THE COUNTY AND THE AMOUNT OF THE
29 INSURANCE SHALL BE FIXED BY THE COMMISSIONERS.

30 SECTION 432. BOND OF REGISTER OF WILLS.--(A) THE REGISTER

1 OF WILLS, BEFORE ENTERING UPON THE DUTIES OF HIS OFFICE, SHALL,
2 WITH ONE CORPORATE SURETY OR TWO INDIVIDUAL SURETIES ON A FORM
3 PREPARED AND SUPPLIED BY THE SECRETARY OF THE COMMONWEALTH, GIVE
4 A JOINT AND SEVERAL BOND TO THE COMMONWEALTH OF PENNSYLVANIA IN
5 THE SUM SET FORTH FOR THE CLASS OF COUNTY FOR WHICH HE IS AN
6 OFFICER AS FOLLOWS:

7	THIRD CLASS COUNTIES,	\$25,000.
8	FOURTH CLASS COUNTIES,	20,000.
9	FIFTH CLASS COUNTIES,	15,000.
10	SIXTH CLASS COUNTIES,	10,000.
11	SEVENTH CLASS COUNTIES,	7,500.
12	EIGHTH CLASS COUNTIES,	5,000.

13 (B) THE CONDITION OF THE BOND SHALL BE THAT THE REGISTER OF
14 WILLS SHALL FAITHFULLY EXECUTE THE DUTIES OF HIS OFFICE AND WELL
15 AND TRULY ACCOUNT FOR AND PAY, ACCORDING TO LAW, ALL MONEYS
16 RECEIVED BY HIM FOR THE USE OF THE COMMONWEALTH, OR FOR THE USE
17 OF OTHERS BY VIRTUE OF HIS OFFICE, AND TO DELIVER UP THE BOOKS,
18 SEALS, RECORDS, WRITINGS AND OTHER OFFICIAL THINGS BELONGING TO
19 HIS OFFICE WHOLE, SAFE AND UNDEFACED TO HIS SUCCESSOR IN OFFICE.

20 (C) SUCH BOND SHALL BE FOR THE USE OF ALL PERSONS CONCERNED
21 AND FOR THE RELIEF OF ALL WHO MAY BE AGGRIEVED BY THE ACTS OR
22 NEGLECT OF SUCH REGISTER.

23 (D) SUCH BOND SHALL BE SUBMITTED TO THE SECRETARY OF THE
24 COMMONWEALTH FOR APPROVAL AND, WHEN HE APPROVES THE SAME, HE
25 SHALL FORWARD THE BOND, TOGETHER WITH THE COMMISSION OF THE
26 REGISTER, TO THE RECORDER OF DEEDS OF THE PROPER COUNTY, AND SO
27 NOTIFY THE REGISTER WHO SHALL CAUSE THE BOND TO BE RECORDED IN
28 THE OFFICE OF THE RECORDER OF DEEDS. AFTER RECORDING THE BOND
29 THE RECORDER OF DEEDS SHALL DELIVER TO THE REGISTER, HIS
30 COMMISSION, AND FORWARD THE BOND TO THE SECRETARY OF THE

1 COMMONWEALTH FOR FILING.

2 (E) THE BOND REQUIRED BY THIS SECTION SHALL BE THE OFFICIAL
3 BOND OF THE REGISTER OF WILLS IN LIEU OF THE OFFICIAL BONDS
4 REQUIRED BY THIS SUBDIVISION FOR OTHER COUNTY OFFICERS.

5 SECTION 433. FORM OF BOND OF SHERIFF.--THE FORM OF THE BOND
6 TO BE GIVEN BY THE SHERIFF AND HIS SURETIES SHALL BE AS FOLLOWS,
7 TO WIT: "KNOW ALL MEN BY THESE PRESENTS, THAT WE (A. B., C. D.
8 AND E. F.) ARE HELD FIRMLY BOUND UNTO THE COUNTY
9 OF IN THE SUM
10 OF DOLLARS TO BE PAID TO THE SAID
11 COUNTY, OR TO THE COMMONWEALTH, FOR THE USES, INTENTS AND
12 PURPOSES DECLARED AND APPOINTED BY LAW, TO WHICH PAYMENT WELL
13 AND TRULY TO BE MADE, WE BIND OURSELVES, OUR HEIRS, EXECUTORS,
14 AND ADMINISTRATORS, JOINTLY AND SEVERALLY, FIRMLY BY THESE
15 PRESENTS, SEALED WITH OUR SEALS, DATED DAY
16 OF ANNO DOMINI
17 THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH THAT, IF THE
18 SAID (A. B.) SHALL AND DO, WITHOUT DELAY, ACCORDING TO LAW, WELL
19 AND TRULY SERVE AND EXECUTE ALL WRITS AND PROCESS OF THE
20 COMMONWEALTH OF PENNSYLVANIA TO HIM DIRECTED, AND SHALL AND DO,
21 FROM TIME TO TIME, UPON REQUEST TO HIM FOR THAT PURPOSE MADE,
22 WELL AND TRULY PAY OR CAUSE TO BE PAID TO THE SEVERAL SUITORS
23 AND PARTIES INTERESTED IN THE EXECUTION OF SUCH WRITS OR
24 PROCESS, THEIR LAWFUL ATTORNEY, FACTORS, AGENTS OR ASSIGNS, ALL
25 AND EVERY SUM AND SUMS OF MONEY TO THEM RESPECTIVELY BELONGING,
26 WHICH SHALL COME TO HIS HANDS, AND SHALL AND DO, FROM TIME TO
27 TIME AND AT ALL TIMES DURING HIS CONTINUANCE IN THE SAID OFFICE,
28 WELL AND FAITHFULLY EXECUTE AND PERFORM ALL AND EVERY OF THE
29 TRUSTS AND DUTIES TO THE SAID OFFICE APPERTAINING, THEN THIS
30 OBLIGATION TO BE VOID, OR ELSE TO BE AND REMAIN IN FULL FORCE

1 AND VIRTUE".

2 SECTION 434. AMOUNT OF BOND OF SHERIFF AND OF CORONER.--(A)
3 THE AMOUNT OF THE OFFICIAL BOND OF THE SHERIFF SHALL BE AS
4 FOLLOWS:

5	THIRD CLASS COUNTIES,	\$60,000.
6	FOURTH CLASS COUNTIES,	60,000.
7	FIFTH CLASS COUNTIES,	30,000.
8	SIXTH CLASS COUNTIES,	20,000.
9	SEVENTH CLASS COUNTIES,	15,000.
10	EIGHTH CLASS COUNTIES,	10,000.

11 (B) THE AMOUNT OF THE OFFICIAL BOND OF THE CORONER, IN EACH
12 CLASS OF COUNTY, SHALL BE ONE-FOURTH OF THE AMOUNT HEREIN SET
13 OUT FOR THE BOND OF THE SHERIFF IN SUCH CLASS OF COUNTY.

14 SECTION 435. AMOUNT OF BOND OF COUNTY COMMISSIONER.--THE
15 AMOUNT OF THE OFFICIAL BOND OF EACH COUNTY COMMISSIONER SHALL BE
16 AS FOLLOWS:

17	THIRD CLASS COUNTIES,	\$7,500.
18	FOURTH CLASS COUNTIES,	5,000.
19	FIFTH CLASS COUNTIES,	4,000.
20	SIXTH CLASS COUNTIES,	2,500.
21	SEVENTH CLASS COUNTIES,	2,000.
22	EIGHTH CLASS COUNTIES,	2,000.

23 SECTION 436. AMOUNT OF BOND OF RECORDER OF DEEDS.--THE
24 AMOUNT OF THE OFFICIAL BOND OF THE RECORDER OF DEEDS SHALL BE AS
25 FOLLOWS:

26	THIRD CLASS COUNTIES,	\$15,000.
27	FOURTH CLASS COUNTIES,	10,000.
28	FIFTH CLASS COUNTIES,	10,000.
29	SIXTH CLASS COUNTIES,	5,000.
30	SEVENTH CLASS COUNTIES,	5,000.

1 EIGHTH CLASS COUNTIES, 5,000.

2 SECTION 437. AMOUNT OF BOND OF CONTROLLER.--THE AMOUNT OF
3 THE OFFICIAL BOND OF THE COUNTY CONTROLLER IN ALL COUNTIES SHALL
4 BE TWENTY THOUSAND DOLLARS (\$20,000).

5 SECTION 802. BOND IN FAVOR OF COMMONWEALTH.--EACH COUNTY
6 TREASURER SHALL, BEFORE ENTERING UPON THE DUTIES OF HIS OFFICE,
7 GIVE BOND WITH SUFFICIENT SECURITY, TO BE APPROVED OF BY AT
8 LEAST TWO OF THE JUDGES, IF THERE IS MORE THAN ONE JUDGE OF THE
9 COURT OF QUARTER SESSIONS IN THE COUNTY, AND IN SUCH PENALTY AS
10 THE SAID JUDGES SHALL DEEM SUFFICIENT, CONDITIONED FOR THE
11 FAITHFUL DISCHARGE OF ALL DUTIES ENJOINED UPON HIM BY LAW IN
12 BEHALF OF THE COMMONWEALTH, AND FOR THE PAYMENT ACCORDING TO LAW
13 OF ALL MONEYS RECEIVED BY HIM FOR THE USE OF THE COMMONWEALTH,
14 WHICH BOND SHALL BE TAKEN BY AND ACKNOWLEDGED BEFORE THE
15 RECORDER OF DEEDS OF THE SAME COUNTY, AND RECORDED IN HIS
16 OFFICE, AND THE ORIGINAL BOND SHALL BE FORTHWITH TRANSMITTED TO
17 THE AUDITOR GENERAL. THE COST OF THE BOND, ITS ACKNOWLEDGMENT
18 AND RECORDING, SHALL BE BORNE BY THE COMMONWEALTH.

19 COPIES OF THE RECORD OF SUCH BOND, DULY CERTIFIED BY THE
20 RECORDER OF DEEDS FOR THE TIME BEING, SHALL BE GOOD EVIDENCE IN
21 ANY ACTION BROUGHT AGAINST SUCH TREASURER OR HIS SURETIES ON
22 SUCH BOND, ACCORDING TO ITS FORM AND EFFECT, IN THE SAME MANNER
23 AS THE ORIGINAL WOULD BE IF PRODUCED AND OFFERED IN EVIDENCE.

24 SECTION 803. REMOVAL FROM OFFICE FOR FAILURE TO TRANSMIT
25 BOND TO AUDITOR GENERAL.--IF ANY COUNTY TREASURER SHALL FAIL TO
26 TRANSMIT TO THE AUDITOR GENERAL, WITHIN ONE MONTH AFTER HIS
27 ELECTION OR APPOINTMENT, THE BOND REQUIRED BY THE PRECEDING
28 SECTION, HE SHALL BE DEEMED TO HAVE FORFEITED HIS RIGHT TO THE
29 OFFICE; IF HE HAS ENTERED UPON THE DUTIES THEREOF, HE SHALL BE
30 OUSTED IN AN ACTION OF QUO WARRANTO IN THE NAME OF THE

1 COMMONWEALTH UPON THE RELATION OF THE ATTORNEY GENERAL, OR OF
2 THE DISTRICT ATTORNEY OF THE COUNTY IF THE LATTER IS SO DIRECTED
3 BY THE COUNTY COMMISSIONERS.

4 SECTION 804. WHEN AUDITOR GENERAL TO DELIVER UP BOND OF
5 TREASURER.--THE BOND AND OBLIGATION OF THE COUNTY TREASURER
6 SHALL BE HELD BY THE AUDITOR GENERAL FOR ONE YEAR AFTER THE
7 SETTLEMENT OF HIS ACCOUNTS WITH THE COMMONWEALTH AND,
8 THEREAFTER, IF THE AUDITOR GENERAL AND STATE TREASURER ARE FULLY
9 SATISFIED THAT THE COUNTY TREASURER HAS SETTLED HIS ACCOUNTS AND
10 PAID ALL SUMS DUE THE COMMONWEALTH, SAID BOND AND OBLIGATION
11 SHALL UPON REQUEST BE DELIVERED TO ANY PERSON ENTITLED TO THE
12 SAME.]

13 SECTION 5. SECTION 1251 OF THE ACT IS AMENDED TO READ:

14 SECTION 1251. OFFICIAL RECORDS OF CORONER.--EVERY CORONER,
15 WITHIN THIRTY (30) DAYS AFTER THE END OF EACH YEAR, SHALL
16 DEPOSIT ALL OF HIS OFFICIAL RECORDS AND PAPERS FOR THE PRECEDING
17 YEAR IN THE OFFICE OF THE PROTHONOTARY FOR [THE INSPECTION OF
18 ALL PERSONS INTERESTED THEREIN] ACCESS ACCORDING TO THE
19 PROVISIONS OF THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN
20 AS THE RIGHT-TO-KNOW LAW.

21 SECTION 6. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

22 ARTICLE XV.2

23 COUNTY OFFICER AND

24 EMPLOYEE FISCAL SECURITY

25 (A) PRELIMINARY PROVISIONS

26 SECTION 1560. SCOPE OF ARTICLE.

27 (A) SCOPE OF ARTICLE.--THIS ARTICLE APPLIES TO SECURITY
28 COVERAGE AND ADDITIONAL COVERAGE IN THE FORM OF BONDS, BLANKET
29 BONDS OR INSURANCE, PROTECTING AGAINST EVENTS OF LOSS OF MONEY
30 OR PROPERTY AS A RESULT OF MISCONDUCT BY OFFICERS AND EMPLOYEES

1 IN COUNTIES OF THE SECOND CLASS, SECOND CLASS A, THIRD CLASS,
2 FOURTH CLASS, FIFTH CLASS, SIXTH CLASS, SEVENTH CLASS OR EIGHTH
3 CLASS, INCLUDING COUNTIES OF THESE CLASSES WHICH HAVE ADOPTED A
4 HOME RULE CHARTER OR AN OPTIONAL PLAN.

5 (B) INAPPLICABILITY.--THIS ARTICLE SHALL NOT APPLY TO BONDS
6 OF COUNTY TREASURERS ACTING AS TAX COLLECTORS AS PROVIDED IN
7 SECTION 4 OF THE ACT OF MAY 25, 1945 (P.L.1050, NO.394), KNOWN
8 AS THE LOCAL TAX COLLECTION LAW.

9 SECTION 1561. DEFINITIONS.

10 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
11 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
12 CONTEXT CLEARLY INDICATES OTHERWISE:

13 "ADDITIONAL COVERAGE." INSURANCE THAT COVERS EACH COUNTY
14 OFFICER OR EMPLOYEE WHO IS REQUIRED TO RECEIVE, ACCOUNT FOR OR
15 HOLD ANY MONEY OR PROPERTY BY VIRTUE OF HIS OR HER OFFICE OR
16 EMPLOYMENT AND WHICH, AT A MINIMUM, INDEMNIFIES THE COUNTY
17 AGAINST THE LOSS OF MONEY AND PROPERTY THROUGH ROBBERY, BURGLARY
18 AND LARCENY.

19 "BLANKET BOND." SECURITY COVERAGE IN THE FORM OF A BOND FOR
20 COUNTY OFFICERS AND EMPLOYEES AS FOLLOWS:

21 (1) FOR COUNTY OFFICERS AND EMPLOYEES AS A COMPREHENSIVE
22 GROUP;

23 (2) FOR A GROUP OF NAMED COUNTY OFFICERS AND EMPLOYEES;
24 OR

25 (3) FOR COUNTY OFFICERS AND EMPLOYEES IN SCHEDULED
26 POSITIONS.

27 "BOND." SECURITY COVERAGE UNDER WHICH A SURETY GUARANTEES
28 THE PERFORMANCE OF A DUTY BY A COUNTY OFFICER OR EMPLOYEE IN
29 COMPLIANCE WITH THIS ARTICLE.

30 "COUNTY." A COUNTY OF THE SECOND CLASS, SECOND CLASS A,

1 THIRD CLASS, FOURTH CLASS, FIFTH CLASS, SIXTH CLASS, SEVENTH
2 CLASS OR EIGHTH CLASS, INCLUDING COUNTIES OF THESE CLASSES WHICH
3 HAVE ADOPTED OR MAY ADOPT A HOME RULE CHARTER OR AN OPTIONAL
4 PLAN.

5 "COUNTY OFFICERS AND EMPLOYEES." ELECTED AND APPOINTED
6 COUNTY OFFICIALS, THE DEPUTIES AND OTHER APPOINTEES OF COUNTY
7 ELECTED AND APPOINTED OFFICIALS AND COUNTY EMPLOYEES, WHETHER
8 ACTING ON BEHALF OF THE COUNTY OR AS AGENTS OF A COMMONWEALTH
9 AGENCY OR A GOVERNING AUTHORITY, WHO ARE REQUIRED TO RECEIVE,
10 ACCOUNT FOR OR HOLD ANY MONEY OR PROPERTY BY VIRTUE OF THEIR
11 OFFICE OR EMPLOYMENT.

12 "CRIME-FIDELITY INSURANCE." INSURANCE THAT IS ENDORSED WITH
13 FAITHFUL PERFORMANCE OF DUTY COVERAGE AND WHICH INSURES, AT A
14 MINIMUM, AGAINST EVENTS OF LOSS OF MONEY OR OTHER PROPERTY,
15 RESULTING FROM ONE OR MORE FRAUDULENT OR DISHONEST ACTS,
16 INCLUDING, BUT NOT LIMITED TO, EMBEZZLEMENT, THEFT, FORGERY,
17 SIMILAR ACTS OF DISHONESTY OR FRAUD BY A COUNTY OFFICER OR
18 EMPLOYEE ACTING ALONE OR IN COLLUSION WITH OTHERS, OR FROM A
19 BREACH OF FIDUCIARY DUTY OR A FAILURE OF A COUNTY OFFICER OR
20 EMPLOYEE TO PERFORM FAITHFULLY THE OFFICER'S OR EMPLOYEE'S
21 DUTIES OR TO ACCOUNT PROPERLY FOR ALL MONEY AND PROPERTY
22 RECEIVED, HELD OR REQUIRED TO BE ACCOUNTED FOR, BY VIRTUE OF THE
23 OFFICER'S OR EMPLOYEE'S OFFICE OR EMPLOYMENT.

24 "GOVERNING AUTHORITY." INCLUDES:

25 (1) THE SUPREME COURT.

26 (2) ANY AGENCY OR UNIT OF THE UNIFIED JUDICIAL SYSTEM
27 EXERCISING A POWER OR PERFORMING A DUTY UNDER 42 PA.C.S. §
28 1721 (RELATING TO DELEGATION OF POWERS).

29 "GOVERNING BODY." THE COUNTY BOARD OF COMMISSIONERS OR THE
30 BODY VESTED WITH THE LEGISLATIVE AUTHORITY OF THE COUNTY IN

COUNTIES WHICH HAVE ADOPTED A HOME RULE CHARTER OR AN OPTIONAL PLAN.

"HOME RULE CHARTER." A CHARTER ADOPTED UNDER 53 PA.C.S. PT. III SUBPT. E (RELATING TO HOME RULE AND OPTIONAL PLAN GOVERNMENT) OR ITS PREDECESSOR, THE FORMER ACT OF APRIL 13, 1972 (P.L.184, NO.62), KNOWN AS THE HOME RULE CHARTER AND OPTIONAL PLANS LAW, OR ARTICLE XXXI-C OF THE ACT OF JULY 28, 1953 (P.L.723, NO.230), KNOWN AS THE SECOND CLASS COUNTY CODE.

"MONEY." COIN OR CURRENCY OF THE UNITED STATES OR OF ANY OTHER COUNTRY, TRAVELERS CHECKS, PERSONAL CHECKS, BANK CHECKS AND BANK NOTES IN CURRENT USE AND HAVING A FACE VALUE, MONEY ORDERS AND SECURITIES.

"OFFICIAL SECURITY." SECURITY ON BEHALF OF A COUNTY OFFICER TO PROVIDE PROTECTION FROM EVENTS OF LOSS OR MISCONDUCT WHEN THE OFFICER FAILS TO FAITHFULLY PERFORM THE DUTIES OF THE OFFICE.

"OPTIONAL PLAN." AN OPTIONAL PLAN ADOPTED UNDER 53 PA.C.S. PT. III SUBPT. E (RELATING TO HOME RULE AND OPTIONAL PLAN GOVERNMENT) OR ITS PREDECESSOR, THE FORMER ACT OF APRIL 13, 1972 (P.L.184, NO.62), KNOWN AS THE HOME RULE CHARTER AND OPTIONAL PLANS LAW.

"REQUIRED SECURITY." SECURITY COVERAGE AND ADDITIONAL COVERAGE PROVIDED IN COMPLIANCE WITH THIS ARTICLE.

"SECURITIES." ALL NEGOTIABLE AND NONNEGOTIABLE INSTRUMENTS OR CONTRACTS REPRESENTING EITHER MONEY OR OTHER PROPERTY, INCLUDING REVENUE AND OTHER STAMPS IN CURRENT USE, TOKENS AND TICKETS AND EVIDENCES OF DEBT ISSUED IN CONNECTION WITH CREDIT OR CHARGE CARDS, WHICH CARDS ARE NOT ISSUED BY THE COUNTY.

"SECURITY COVERAGE." A BOND, A BLANKET BOND OR A CRIME-FIDELITY INSURANCE POLICY, WHICH IS ENDORSED WITH FAITHFUL PERFORMANCE OF DUTY COVERAGE, PROVIDED IN COMPLIANCE WITH THIS

1 ARTICLE FOR THE PURPOSE OF PROTECTING AGAINST THE LOSS OF MONEY
2 AND OTHER PROPERTY SUSTAINED AS A RESULT OF ONE OR MORE
3 FRAUDULENT OR DISHONEST ACTS, INCLUDING, BUT NOT LIMITED TO,
4 EMBEZZLEMENT, THEFT, FORGERY, SIMILAR ACTS OF DISHONESTY OR
5 FRAUD BY A COUNTY OFFICER OR EMPLOYEE ACTING ALONE OR IN
6 COLLUSION WITH OTHERS OR FROM A BREACH OF FIDUCIARY DUTY OR A
7 FAILURE OF A COUNTY OFFICER OR EMPLOYEE TO PERFORM FAITHFULLY
8 THE OFFICER'S OR EMPLOYEE'S DUTIES OR TO ACCOUNT PROPERLY FOR
9 ALL MONEY AND PROPERTY RECEIVED BY VIRTUE OF THE OFFICER'S OR
10 EMPLOYEE'S POSITION OR EMPLOYMENT.

11 (B) SECURITY REQUIREMENTS AND RELATED MATTERS
12 SECTION 1570. REQUIRED SECURITY.

13 (A) IN GENERAL.--A COUNTY SHALL OBTAIN SECURITY COVERAGE AND
14 ADDITIONAL COVERAGE FOR COUNTY OFFICERS AND EMPLOYEES IN
15 ACCORDANCE WITH THIS ARTICLE.

16 (B) SECURITY COVERAGE.--SECURITY COVERAGE SHALL BE PROVIDED
17 IN ACCORDANCE WITH THE FOLLOWING:

18 (1) SECTION 1571.

19 (2) SECTION 1572.

20 (3) SECTION 1573.

21 (C) ADDITIONAL COVERAGE.--SUPPLEMENTAL TO OR AS PART OF THE
22 SECURITY COVERAGE TO BE PROVIDED IN ACCORDANCE WITH THIS
23 ARTICLE, ADDITIONAL COVERAGE IN THE FORM OF ADEQUATE INSURANCE
24 INDEMNIFYING AGAINST THE LOSS OF MONEY AND PROPERTY THROUGH
25 ROBBERY, BURGLARY AND LARCENY, SHALL BE PROVIDED FOR EACH COUNTY
26 OFFICER OR EMPLOYEE WHO IS REQUIRED TO RECEIVE, ACCOUNT FOR OR
27 HOLD ANY MONEY AND OTHER PROPERTY BY VIRTUE OF THE OFFICER'S OR
28 EMPLOYEE'S OFFICE OR EMPLOYMENT.

29 (D) PRIMARY LIABILITY.--

30 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2), THE COUNTY

1 SHALL BE PRIMARILY LIABLE FOR A CLAIM FOR THE LOSS OF MONEY
2 AND PROPERTY WHICH A COUNTY OFFICER OR EMPLOYEE IS REQUIRED
3 TO RECEIVE, ACCOUNT FOR OR HOLD BY VIRTUE OF THE OFFICER'S OR
4 EMPLOYEE'S OFFICE OR EMPLOYMENT, TO THE EXTENT THAT THE LOSS
5 IS OR COULD HAVE BEEN THE SUBJECT OF REQUIRED SECURITY UNDER
6 THIS ARTICLE.

7 (2) THE COUNTY SHALL NOT BE PRIMARILY LIABLE FOR A CLAIM
8 FOR THE LOSS OF MONEY AND PROPERTY UNDER PARAGRAPH (1) TO THE
9 EXTENT THAT RECOVERY OF THE LOSS CAN BE OBTAINED FROM OTHER
10 INSURANCE OR BOND PROTECTION PROVIDED BY THE COMMONWEALTH
11 AGENCY OR ANY OTHER PERSON OR ENTITY ASSERTING A CLAIM.

12 (3) WITH REGARD TO THE LOSS OF MONEY OR PROPERTY,
13 NOTHING IN THIS ARTICLE SHALL BE DEEMED TO RESTRICT OR
14 DIMINISH A COUNTY'S RIGHT TO REIMBURSEMENT OR SUBROGATION OR
15 TO LIMIT ANY RIGHT THE COUNTY MAY HAVE TO BE INDEMNIFIED OR
16 RECEIVE RESTITUTION FOR THE LOSS.

17 SECTION 1571. OFFICIAL SECURITY AND OFFICERS.

18 (A) OFFICIAL SECURITY.--EACH COUNTY SHALL OBTAIN OFFICIAL
19 SECURITY IN THE FORM OF BONDS, A BLANKET BOND OR A CRIME-
20 FIDELITY INSURANCE POLICY, WHICH IS ENDORSED WITH FAITHFUL
21 PERFORMANCE OF DUTY COVERAGE, ON BEHALF OF THE OFFICERS SET
22 FORTH IN SUBSECTION (B) OR THE EQUIVALENT OFFICERS IN HOME RULE
23 OR OPTIONAL PLANS COUNTIES, WHETHER ELECTED, APPOINTED OR
24 APPOINTED TO FILL A VACANCY, BEFORE THOSE OFFICERS BEGIN THEIR
25 OFFICIAL DUTIES.

26 (B) OFFICERS.--THE FOLLOWING ARE THE OFFICERS OR EQUIVALENT
27 OFFICERS IN HOME RULE OR OPTIONAL PLANS COUNTIES UPON WHOSE
28 BEHALF OFFICIAL SECURITY SHALL BE OBTAINED IN ACCORDANCE WITH
29 SUBSECTION (A):

30 (1) EACH COUNTY COMMISSIONER.

1 (2) THE CHIEF CLERK OF THE COUNTY COMMISSIONERS.
2 (3) THE CONTROLLER.
3 (4) THE COUNTY TREASURER.
4 (5) THE PROTHONOTARY OF THE COURT OF COMMON PLEAS.
5 (6) THE SHERIFF.
6 (7) THE CORONER.
7 (8) THE CLERK OF THE COURTS OF THE COURT OF COMMON
8 PLEAS.
9 (9) THE CLERK OF THE ORPHANS' COURT DIVISION OF THE
10 COURT OF COMMON PLEAS.
11 (10) THE RECORDER OF DEEDS.
12 (11) THE REGISTER OF WILLS.
13 (12) PROBATION AND PAROLE OFFICERS, IF REQUIRED BY ORDER
14 OF COURT TO OBTAIN OFFICIAL SECURITY.
15 (13) THE FIRE MARSHAL AND DEPUTY FIRE MARSHALS, IF
16 REQUIRED BY LAW TO OBTAIN OFFICIAL SECURITY.
17 (14) THE SECRETARY OF THE BOARD OF HEALTH AND THE HEALTH
18 OFFICER IN A COUNTY IN WHICH THE SECRETARY IS REQUIRED BY LAW
19 TO OBTAIN OFFICIAL SECURITY.
20 SECTION 1572. OTHER COUNTY OFFICERS AND EMPLOYEES.
21 A COUNTY SHALL OBTAIN SECURITY COVERAGE WITH FAITHFUL
22 PERFORMANCE OF DUTY COVERAGE FOR ALL COUNTY OFFICERS AND
23 EMPLOYEES WHO ARE NOT SUBJECT TO SECTION 1571, INCLUDING
24 DEPUTIES AND OTHER APPOINTEES IN EACH COUNTY OFFICE, WHO ARE
25 REQUIRED TO RECEIVE, ACCOUNT FOR OR HOLD ANY MONEY AND OTHER
26 PROPERTY BY VIRTUE OF THEIR OFFICE OR EMPLOYMENT.
27 SECTION 1573. COUNTY OFFICERS AND EMPLOYEES ACTING AS AGENTS.
28 EACH COUNTY SHALL OBTAIN SECURITY COVERAGE FOR COUNTY
29 OFFICERS AND EMPLOYEES ACTING AS AGENTS OF A COMMONWEALTH AGENCY
30 OR GOVERNING AUTHORITY IN ACCORDANCE WITH THIS ARTICLE OR ANY

1 OTHER LAW, REGULATION OR RULE REQUIRING THE POSTING OF SECURITY
2 IN THE FORM OF A BOND OR OTHERWISE.

3 SECTION 1574. BONDS OR BLANKET BOND AS SECURITY COVERAGE.

4 (A) IN GENERAL.--A COUNTY MAY COMPLY WITH SECTION 1570(B) BY
5 PROVIDING BONDS OR A BLANKET BOND IN ACCORDANCE WITH THE
6 FOLLOWING:

7 (1) THE BOND OR BLANKET BOND SHALL BE JOINT AND SEVERAL,
8 WITH ONE OR MORE SURETY COMPANIES AUTHORIZED TO DO BUSINESS
9 IN THIS COMMONWEALTH AND LICENSED BY THE INSURANCE
10 COMMISSIONER.

11 (2) THE BOND OR BLANKET BOND SHALL BE CONDITIONED UPON
12 EACH OF THE FOLLOWING:

13 (I) THE FAITHFUL PERFORMANCE OF ALL DUTIES REQUIRED
14 OF THE PERSON HOLDING THE OFFICE OR POSITION.

15 (II) THE JUST AND FAITHFUL USE, ACCOUNTING OR
16 PAYMENT OVER, ACCORDING TO LAW, OF ALL MONEYS AND
17 BALANCES AND OTHER PROPERTY, WHICH IS REQUIRED TO BE
18 RECEIVED, ACCOUNTED FOR OR HELD BY THE OFFICER OR
19 EMPLOYEE BY VIRTUE OF THE OFFICER'S OR EMPLOYEE'S OFFICE
20 OR EMPLOYMENT WHETHER ON BEHALF OF THE COUNTY, THE
21 COMMONWEALTH, A POLITICAL SUBDIVISION OR ANY OTHER
22 PERSON.

23 (III) THE DELIVERY TO THE SUCCESSOR IN OFFICE OF ALL
24 BOOKS, PAPERS, DOCUMENTS OR OTHER OFFICIAL THINGS, WHOLE,
25 SAFE AND UNDEFACED, HELD IN RIGHT OF THE OFFICE.

26 (3) A BOND OR BLANKET BOND SHALL BE TAKEN IN THE NAME OF
27 THE COUNTY AND, IN CASE OF A BREACH OF ANY OF THE CONDITIONS
28 THEREOF BY THE ACTS OR NEGLECT OF A PRINCIPAL ON THE BOND,
29 SHALL BE FOR THE USE OF THE COUNTY, THE COMMONWEALTH, A
30 POLITICAL SUBDIVISION OR ANY OTHER PERSON AS THAT PERSON'S

1 INTEREST SHALL OTHERWISE APPEAR.

2 (4) THE COUNTY, THE COMMONWEALTH, A POLITICAL
3 SUBDIVISION OR OTHER INTERESTED PERSONS MAY SUE UPON THE BOND
4 IN ITS NAME OR FOR ITS OWN USE. ACTS OF THE GENERAL ASSEMBLY
5 PERTAINING TO ACTIONS AND LIMITATIONS OF ACTIONS UPON
6 OFFICIAL BONDS GIVEN TO THE COMMONWEALTH SHALL APPLY TO THE
7 BONDS PROVIDED FOR IN THIS ARTICLE JUST AS IF THEY WERE GIVEN
8 TO THE COMMONWEALTH, EXCEPT AS OTHERWISE SPECIFICALLY
9 PROVIDED IN THIS ARTICLE.

10 (B) COMBINED OFFICES.--IN COUNTIES IN WHICH ONE OR MORE OF
11 THE COUNTY OFFICES SET FORTH IN SECTION 1571(B) ARE COMBINED, IF
12 OFFICERS ARE COVERED BY INDIVIDUAL BONDS, A SINGLE BOND COVERING
13 THE COMBINED OFFICES SHALL SUFFICE FOR THE OFFICER HOLDING THE
14 COMBINED OFFICES.

15 SECTION 1575. INSURANCE AS SECURITY COVERAGE.

16 A COUNTY MAY COMPLY WITH SECTION 1570 BY PROVIDING CRIME-
17 FIDELITY INSURANCE FOR COUNTY OFFICERS OR EMPLOYEES IN
18 ACCORDANCE WITH THIS ARTICLE.

19 SECTION 1576. FORM OF REQUIRED SECURITY.

20 THE FORM AND CONTENTS OF A BOND, A BLANKET BOND OR INSURANCE
21 OBTAINED IN COMPLIANCE WITH THIS ARTICLE SHALL BE APPROVED BY
22 THE GOVERNING BODY OF THE COUNTY, AFTER REVIEW BY THE COUNTY
23 SOLICITOR AND CONSULTATION WITH THE COUNTY RISK MANAGER, IF ANY.
24 IN CASES IN WHICH REQUIRED SECURITY IS BEING PROVIDED FOR A
25 COUNTY OFFICER OR EMPLOYEE WHO IS ACTING AS AN AGENT FOR A
26 COMMONWEALTH AGENCY OR THE GOVERNING AUTHORITY, THE COMMONWEALTH
27 AGENCY OR THE GOVERNING AUTHORITY MAY REVIEW AND COMMENT ON THE
28 FORM OF THE REQUIRED SECURITY. THE GOVERNING BODY MAY REFER TO
29 SAMPLE FORMS THAT MAY BE MADE AVAILABLE BY THE DEPARTMENT OF
30 STATE IN THE APPROVAL PROCESS.

1 SECTION 1577. AMOUNT OF COVERAGE.

2 (A) GOVERNING BODY.--THE GOVERNING BODY SHALL ESTABLISH A
3 PROCEDURE PURSUANT TO WHICH THE GOVERNING BODY SHALL ANNUALLY
4 DETERMINE THE FORM AND AMOUNT OF REQUIRED SECURITY THAT WILL BE
5 REASONABLY SUFFICIENT TO PROTECT AGAINST THE RISKS OF LOSS IN
6 COMPLIANCE WITH THIS ARTICLE.

7 (B) RISK MANAGER.--THE GOVERNING BODY MAY APPOINT A RISK
8 MANAGER WHO, AT THE REQUEST OF THE GOVERNING BODY, SHALL COMPILE
9 AND SUBMIT INFORMATION RELEVANT TO THE DETERMINATION OF AN
10 AMOUNT OF REQUIRED SECURITY UNDER SUBSECTION (A).

11 (C) CONSULTATION.--TO DETERMINE THE AMOUNT OF SECURITY FOR A
12 COUNTY OFFICER OR EMPLOYEE WHO IS ACTING AS AN AGENT FOR A
13 COMMONWEALTH AGENCY OR GOVERNING AUTHORITY, THE GOVERNING BODY
14 MAY, OR THE RISK MANAGER SHALL, IF DIRECTED BY THE GOVERNING
15 BODY, PROVIDE WRITTEN NOTICE TO THE SECRETARY OR HEAD OF THE
16 COMMONWEALTH AGENCY OR THE GOVERNING AUTHORITY. THE COMMONWEALTH
17 AGENCY OR GOVERNING AUTHORITY MAY PROVIDE INPUT CONCERNING THE
18 AMOUNT OF SECURITY IT BELIEVES IS REASONABLY SUFFICIENT TO
19 PROTECT AGAINST THE RISKS OF LOSS REQUIRED TO COMPLY WITH THIS
20 ARTICLE. NOTHING IN THIS ARTICLE SHALL IMPAIR THE RIGHT OF A
21 COMMONWEALTH AGENCY OR GOVERNING AUTHORITY FROM APPROVING THE
22 AMOUNT OF REQUIRED SECURITY, IF IT IS EXPLICITLY AUTHORIZED BY
23 LAW TO APPROVE THE AMOUNT OF A BOND OR OTHER SECURITY OF A
24 COUNTY OFFICER OR EMPLOYEE ACTING AS ITS AGENT.

25 SECTION 1578. CUSTODY AND FILING OF REQUIRED SECURITY
26 DOCUMENTS.

27 (A) CUSTODY.--THE GOVERNING BODY SHALL DIRECT THE CHIEF
28 CLERK OR EQUIVALENT OFFICER IN A HOME RULE OR OPTIONAL PLAN
29 COUNTY TO PRESENT THE DOCUMENTS EVIDENCING REQUIRED SECURITY
30 OBTAINED IN ACCORDANCE WITH THIS ARTICLE TO THE RECORDER OF

1 DEEDS OR EQUIVALENT OFFICER IN A HOME RULE OR OPTIONAL PLAN
2 COUNTY FOR RECORDING. NO TAX, FEE OR OTHER CHARGE SHALL BE
3 IMPOSED FOR THE RECORDING OF DOCUMENTS IN COMPLIANCE WITH THIS
4 SECTION. FOLLOWING THE RECORDING, THE DOCUMENTS SHALL BE
5 RETURNED TO THE CHIEF CLERK OR EQUIVALENT OFFICER IN A HOME RULE
6 OR OPTIONAL PLAN COUNTY, WHO SHALL MAINTAIN THE CUSTODY OF THESE
7 DOCUMENTS ON BEHALF OF THE GOVERNING BODY.

8 (B) DEPARTMENT OF STATE FILING.--

9 (1) IN COMPLIANCE WITH SECTION 809 OF THE ACT OF APRIL
10 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE
11 OF 1929, IT SHALL BE SUFFICIENT FOR A COPY OF THE RECORDED
12 DOCUMENTS EVIDENCING THE REQUIRED SECURITY FOR COUNTY
13 OFFICERS TO BE FILED WITH THE DEPARTMENT OF STATE IN
14 ACCORDANCE WITH DEADLINES ESTABLISHED BY THE DEPARTMENT.

15 (2) NO OTHER FILING OR APPROVALS, EXCEPT AS PROVIDED IN
16 SECTION 1580(C)(2) OF DOCUMENTS EVIDENCING THE REQUIRED
17 SECURITY FOR COUNTY OFFICERS, EXCEPT THAT REQUIRED IN
18 ACCORDANCE WITH PARAGRAPH (1), SHALL BE REQUIRED AS A
19 CONDITION FOR THE ISSUANCE OF COMMISSIONS TO ELECTED COUNTY
20 OFFICIALS BY THE DEPARTMENT OF STATE.

21 (3) NOTWITHSTANDING THE PROVISION OF ANY OTHER LAW, NO
22 TAX, FEE OR OTHER CHARGE SHALL BE IMPOSED AS A RESULT OF THE
23 ISSUANCE OF COMMISSIONS TO ELECTED COUNTY OFFICIALS, AND NO
24 FEE MAY BE IMPOSED FOR THE RECORDING OF REQUIRED SECURITY
25 DOCUMENTS OR COMMISSIONS.

26 (C) COPIES.--IF REQUESTED BY THE COMMONWEALTH AGENCY OR
27 GOVERNING AUTHORITY ON WHOSE BEHALF A COUNTY OFFICER OR EMPLOYEE
28 IS ACTING AS AN AGENT, A COPY OF RECORDED DOCUMENTS EVIDENCING
29 THE REQUIRED SECURITY SHALL BE PROVIDED BY THE CHIEF CLERK OR
30 THE EQUIVALENT OFFICER IN A HOME RULE OR OPTIONAL PLANS COUNTY

1 TO THE COMMONWEALTH AGENCY OR GOVERNING AUTHORITY. NO CHARGE OR
2 FEE SHALL BE IMPOSED FOR ANY COPY PROVIDED IN ACCORDANCE WITH
3 THIS SUBSECTION.

4 (D) FILING BY GOVERNING BODY.--THE GOVERNING BODY SHALL HAVE
5 THE DUTY TO FILE DOCUMENTS AS REQUIRED BY THIS SECTION.

6 (E) RETENTION OF DOCUMENTS.--DOCUMENTS EVIDENCING REQUIRED
7 SECURITY SHALL BE HELD BY THE CUSTODIAN THEREOF FOR THE LONGER
8 OF THE FOLLOWING PERIODS:

9 (1) FOR AT LEAST ONE YEAR AFTER THE OFFICER'S TERM OF
10 OFFICE OR EMPLOYEE'S PERIOD OF EMPLOYMENT AND, IN THE CASE OF
11 A COUNTY OFFICER OR EMPLOYEE WHO IS ACTING AS AN AGENT FOR A
12 COMMONWEALTH AGENCY OR GOVERNING AUTHORITY, FOR AT LEAST ONE
13 YEAR AFTER THE SETTLEMENT OF ACCOUNTS WITH THE COMMONWEALTH
14 AGENCY OR THE GOVERNING AUTHORITY.

15 (2) FOR THE PERIOD OF TIME REQUIRED BY THE ACT OF AUGUST
16 14, 1963 (P.L.839, NO.407), ENTITLED "AN ACT CREATING A
17 COUNTY RECORDS COMMITTEE; IMPOSING POWERS AND DUTIES UPON IT;
18 AUTHORIZING THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION
19 TO ASSIST AND COOPERATE WITH IT; DEFINING COUNTY RECORDS; AND
20 AUTHORIZING THE DISPOSITION OF CERTAIN COUNTY RECORDS BY
21 COUNTY OFFICERS IN COUNTIES OF THE SECOND TO EIGHTH CLASS,"
22 OR THE RULES AND REGULATIONS ADOPTED PURSUANT THERETO.

23 (F) EVIDENCE.--A COPY OF ORIGINAL DOCUMENTS EVIDENCING
24 REQUIRED SECURITY, CERTIFIED AS TRUE AND CORRECT BY THE
25 CUSTODIAN THEREOF, OR A COPY OF THE RECORDED DOCUMENTS
26 EVIDENCING REQUIRED SECURITY, CERTIFIED AS TRUE AND CORRECT BY
27 THE RECORDER OF DEEDS, SHALL BE COMPETENT EVIDENCE THEREOF IN
28 ANY JUDICIAL PROCEEDING, IN THE SAME MANNER AS THE ORIGINAL
29 WOULD BE IF PRODUCED AND OFFERED IN EVIDENCE.

30 (G) SUFFICIENCY OF FILING AND RECORDING.--NOTWITHSTANDING

1 ANY OTHER PROVISION OF LAW, IT SHALL BE SUFFICIENT TO FILE AND
2 RECORD DOCUMENTS EVIDENCING REQUIRED SECURITY IN ACCORDANCE WITH
3 THIS ARTICLE WITHOUT FURTHER ACKNOWLEDGMENT, FILING OR RECORDING
4 OF THESE DOCUMENTS WITH ANY OTHER COUNTY OFFICER OR WITH ANY
5 OTHER COMMONWEALTH AGENCY, EXCEPT AS REQUIRED BY THIS ARTICLE.
6 SECTION 1579. PAYMENT OF PREMIUMS AND COMMISSIONS ON
7 COLLECTIONS.

8 (A) PREMIUMS AND COSTS.--THE PREMIUMS AND COSTS FOR ALL
9 FORMS OF REQUIRED SECURITY FOR COUNTY OFFICIALS AND EMPLOYEES
10 SHALL BE PAID BY THE COUNTY. THE REQUIREMENT OF THIS ARTICLE
11 THAT A COUNTY ACQUIRE AND PAY THE PREMIUMS AND COSTS FOR
12 REQUIRED SECURITY SHALL NOT RELIEVE A COMMONWEALTH AGENCY ON
13 WHOSE BEHALF A COUNTY OFFICER OR EMPLOYEE IS ACTING AS AN AGENT
14 FROM AN OBLIGATION, IMPOSED BY LAW, TO PROCURE INSURANCE OR
15 BONDING PROTECTION.

16 (B) COMMISSIONS ON COLLECTIONS.--NOTHING IN THIS ARTICLE
17 SHALL AFFECT THE RIGHT, PROVIDED FOR IN ANY OTHER LAW, OF A
18 COUNTY OFFICER OR EMPLOYEE TO RETAIN A COMMISSION, FOR USE OF
19 THE COUNTY, ON AMOUNTS COLLECTED OR TRANSMITTED AS AGENT FOR A
20 COMMONWEALTH AGENCY. NOTWITHSTANDING THE RIGHT TO RETAIN
21 COMMISSIONS IN ACCORDANCE WITH THIS PARAGRAPH, NO COUNTY OFFICER
22 OR EMPLOYEE SHALL BE ENTITLED TO RETAIN ANY ADDITIONAL SUMS FROM
23 AMOUNTS COLLECTED FOR OR TO BE TRANSMITTED TO THE COMMONWEALTH
24 AGENCY FOR THE PURPOSE OF PAYING PREMIUMS OR COSTS RELATED TO
25 THE ACQUISITION OF REQUIRED SECURITY.

26 SECTION 1580. OTHER REQUIREMENTS, REFERENCES AND APPROVALS.

27 (A) COMPLIANCE.--A REQUIREMENT IN ANOTHER LAW, REGULATION OR
28 RULE THAT A BOND BE PROVIDED BY A COUNTY OFFICER OR EMPLOYEE TO
29 SECURE THE FAITHFUL PERFORMANCE OF DUTY OR TO ACT AS THE AGENT
30 OF A COMMONWEALTH AGENCY OR GOVERNING AUTHORITY MAY BE SATISFIED

1 BY INCLUDING THIS OBLIGATION WITHIN THE COVERAGE OF REQUIRED
2 SECURITY SUPPLIED IN ACCORDANCE WITH THIS ARTICLE.

3 (B) REFERENCE TO BONDS.--REFERENCE TO BONDS OF COUNTY
4 OFFICERS AND EMPLOYEES IN ANY OTHER LAW SHALL BE CONSTRUED AND
5 READ TOGETHER WITH THIS ARTICLE, AND IF A CONFLICT EXISTS
6 BETWEEN THIS ARTICLE AND THE REFERENCE TO BONDS OF COUNTY
7 OFFICERS AND EMPLOYEES IN ANY OTHER LAW, THE PROVISIONS OF THIS
8 ARTICLE SHALL PREVAIL.

9 (C) OTHER APPROVALS.--NOTWITHSTANDING ANY OTHER PROVISION OF
10 LAW, THE FOLLOWING SHALL APPLY TO REQUIRED SECURITY IN THE FORM
11 OF A BOND, A BLANKET BOND OR INSURANCE:

12 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2), WHEN REQUIRED
13 SECURITY IS OBTAINED IN COMPLIANCE WITH THIS ARTICLE, IT
14 SHALL NOT REQUIRE THE APPROVAL OF ANY COMMONWEALTH AGENCY OR
15 THE GOVERNOR AS TO FORM, CONTENT OR AMOUNT.

16 (2) IF ANY OTHER LAW EXPLICITLY AUTHORIZES A
17 COMMONWEALTH AGENCY OR THE GOVERNOR TO APPROVE THE AMOUNT OF
18 A BOND OR OTHER SECURITY OF A COUNTY OFFICER OR EMPLOYEE, THE
19 AMOUNT OF REQUIRED SECURITY UNDER THIS ARTICLE SHALL BE
20 SUBJECT TO APPROVAL BY THE COMMONWEALTH AGENCY OR THE
21 GOVERNOR, WHICH APPROVAL SHALL NOT BE UNREASONABLY WITHHELD.

22 SECTION 7. SECTION 2399.61 OF THE ACT, ADDED OCTOBER 18,
23 2000 (P.L.541, NO.73), IS AMENDED TO READ:

24 Section 2399.61. Governing Board.--(a) The power of the
25 authority shall be exercised by a governing board composed of
26 [nine] eleven members appointed as follows:

27 (1) The mayor or, if there is no mayor, the [elected chief
28 executive officer, of the county seat] governing body of the
29 municipality in which the convention center facilities are
30 located shall appoint[, with the advice and consent of the city

1 council or equivalent body, three] two members. The term of
2 office of these members shall be four years. The terms of the
3 first [three] two members appointed shall be allocated [among]
4 between them for a two-year[, three-year] and four-year term,
5 respectively. In all cases, the beginning of the term shall be
6 deemed January 1 of the year of appointment, subject to
7 subsection (b).

8 (2) The county [executive or other elected chief executive
9 officer of the county] council or, if there is no county
10 [executive or elected chief executive officer of the county]
11 council, the governing body of the county in which the
12 convention center facilities are located shall appoint [four]
13 seven members. [Appointments by a county executive or other
14 elected chief executive officer shall be with the advice and
15 consent of the county council or equivalent body.] The term of
16 office of these members shall be four years. The terms of the
17 first [four] seven members appointed shall be allocated among
18 them [for a] as follows: one one-year term, two two-year terms,
19 two three-year terms and two four-year [term, respectively]
20 terms. In all cases, the beginning of the term shall be deemed
21 January 1 of the year of appointment, subject to subsection (b).

22 (3) Two members shall be appointed by the Governor with the
23 advice and consent of a majority of the members of the Senate.

24 [(4) If the authority created pursuant to section 2399.54 is
25 created by the county acting alone, seven members shall be
26 appointed under clause (2). The term of office of these members
27 shall be four years. The terms of the first members appointed
28 shall be allocated among them as follows: a one-year term, two
29 two-year terms, two three-year terms and two four-year terms.]

30 (b) Except as otherwise provided, members shall serve a

1 four-year term from the date of their appointment and until
2 their successors have been appointed and qualified. If a vacancy
3 shall occur by means of the death, disqualification, resignation
4 or removal of a member, subject to the provisions of subsection
5 (a), the appointing authority shall appoint a successor to fill
6 the unexpired term.

7 (c) The members of the board shall not be compensated for
8 their service on the board or for any other position in which
9 they may serve the authority. The authority may reimburse
10 members for reasonable and necessary out-of-pocket expenses
11 incurred by members in carrying out the business of the
12 authority.

13 (d) (1) The members of the board shall select from among
14 themselves a chairman and such other officers as the board may
15 determine. Except as otherwise provided, all actions of the
16 board shall be taken by a vote of at least [five] six members of
17 the board, which shall constitute a majority of the board,
18 unless the bylaws of the authority shall provide for a majority
19 vote by a present quorum of not less than [five] six members in
20 the absence of a full board. The board shall have full authority
21 to manage the properties and business of the authority and to
22 prescribe, amend and repeal bylaws, rules and regulations
23 governing the manner in which the business of the authority may
24 be conducted and the powers granted to it may be exercised and
25 embodied. Notwithstanding any other law, court decision,
26 precedent or practice to the contrary, no actions by or on
27 behalf of the board shall be taken by an officer of the board or
28 the authority except upon the approval or prior authorization of
29 the board. As used in this subsection, the term "actions by or
30 on behalf of the board" means any action whatsoever of the

1 board, including, but not limited to, the hiring, appointment,
2 removal, transfer, promotion or demotion of any officers and
3 employes, the retention, use or remuneration of advisors,
4 counsel, auditors, architects, engineers or consultants, the
5 initiation of legal action, the making of contracts, leases,
6 agreements, bonds, notes or covenants, the approval of
7 requisitions, purchase orders, investments and reinvestments,
8 and the adoption, amendment, revision or rescission of rules and
9 regulations, orders or other directives.

10 (2) The board shall appoint an executive director, who shall
11 act as the chief executive officer of the authority. The
12 executive director shall not be a member of the board.
13 Notwithstanding the provisions of clause (1), the board may, by
14 bylaw or by resolution, delegate to the executive director the
15 authority and power to carry out the day-to-day operations of
16 the authority and to exercise those powers which are normal,
17 customary and necessary to perform the duties of a chief
18 executive officer.

19 (3) The board may appoint such assistant and other officers,
20 including assistant secretaries and assistant treasurers, as the
21 board determines to be appropriate to carry out the business of
22 the authority. Assistant secretaries and assistant treasurers
23 may be members of the board.

24 (4) The board may appoint one or more deputy executive
25 directors who, to the extent authorized by the board, may
26 exercise the duties and powers of the executive director in the
27 executive director's absence or incapacity or in the event of a
28 vacancy in the office of executive director.

29 (e) Members of the board shall not be liable personally on
30 the bonds or other obligations of the authority, and the rights

1 of creditors shall be solely against the authority. The
2 authority, itself or by contract, shall defend board members,
3 and the authority shall indemnify and hold harmless board
4 members, whether or not currently serving as a member of the
5 authority, against and from any and all personal liabilities,
6 actions, causes of action and claims made against them for
7 whatever actions they perform within the scope of their duties
8 as board members.

9 SECTION 8. REPEALS ARE AS FOLLOWS: 


10 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEALS UNDER
11 PARAGRAPH (2) ARE NECESSARY TO EFFECTUATE THE AMENDMENT OR
12 ADDITION OF ARTICLE XV.2 OF THE ACT.

13 (2) THE FOLLOWING ACTS AND PARTS OF ACTS ARE REPEALED:

14 (I) SECTIONS 420, 421, 422, 423, 424, 425, 426, 427,
15 428, 429, 430, 431, 802, 803, 804, 1261 AND 1262 OF THE
16 ACT OF JULY 28, 1953 (P.L.723, NO.230), KNOWN AS THE
17 SECOND CLASS COUNTY CODE.

18 (II) AS MUCH OF SECTION 3103 OF THE SECOND CLASS
19 COUNTY CODE, AS READS AS FOLLOWS: "THE BOND OF THE FIRE
20 MARSHAL SHALL BE IN THE SUM OF TEN THOUSAND DOLLARS
21 (\$10,000) AND THE BONDS OF THE DEPUTY FIRE MARSHALS SHALL
22 BE IN THE SUM OF FIVE THOUSAND DOLLARS (\$5000)."

23 (3) ALL ACTS AND PARTS OF ACTS RELATING TO THE FINANCIAL
24 SECURITY OF COUNTY OFFICERS AND EMPLOYEES ARE REPEALED
25 INsofar AS THEY ARE INCONSISTENT WITH THE ADDITION OF ARTICLE
26 XV.2 OF THE ACT.

27 Section ~~2~~ 9. The amendment of section 2399.61(a)(1) of the 
28 act shall apply as follows to a city which, on the effective
29 date of this section, has established a Third Class County
30 Convention Center under Article XXIII(o) of the act:

1 (1) The amendment shall not affect the term of a member
2 serving on the effective date of this section.

3 (2) The reduction of appointments from three to two
4 shall apply as follows:

5 (i) Except as set otherwise set forth in this
6 paragraph, to an office which is vacant on the effective
7 date of this section.

8 (ii) If there is no vacancy under subparagraph (i),
9 to an office of a member who, on the effective date of
10 this section, is serving past the expiration date of the
11 member's term until a successor is appointed.

12 (iii) If there is no vacancy under subparagraph (i)
13 and there is no office subject to subparagraph (ii), to
14 the office of the first member whose term expires after
15 the effective date of this section.

16 Section ~~3~~ 10. The amendment of section 2399.61(a)(2) of the ←
17 act shall apply as follows to a county which, on the effective
18 date of this section, has established a Third Class County
19 Convention Center under Article XXIII(o) of the act:

20 (1) The amendment shall not affect the term of a member
21 serving on the effective date of this section.

22 (2) A member serving on the effective date of this
23 section shall complete the term to which the member is
24 appointed as follows:

25 (i) One term shall expire December 31, 2010.

26 (ii) One term shall expire December 31, 2012.

27 (iii) Two terms shall expire December 31, 2013.

28 (3) If a member serving on the effective date of this
29 section is unable to complete the term to which the member is
30 appointed in accordance with paragraph (2):

1 (i) a replacement shall be appointed by the
2 appointing authority that made the original appointment;
3 and

4 (ii) the replacement appointed under subparagraph
5 (i) shall complete that term.

6 (4) The seven appointments made by the county council
7 under the amendment shall be as follows:

8 (i) Three initial appointments shall be made upon
9 the effective date of this section for the following
10 terms:

11 (A) One term shall expire December 31, 2010.

12 (B) Two terms shall expire December 31, 2011.

13 (ii) The remaining four initial appointments shall
14 be made to fill the vacancies resulting from the
15 expiration of the terms under paragraph (2).

16 (iii) Subsequent appointments shall be made under
17 section 2399.61(a)(2) of the act.

18 SECTION 11. A COUNTY MAY, AT ANY TIME AFTER THE EFFECTIVE
19 DATE OF THIS SECTION, OBTAIN REQUIRED SECURITY IN ACCORDANCE
20 WITH ARTICLE XV.2 OF THE ACT. A COUNTY SHALL HAVE IN PLACE
21 REQUIRED SECURITY IN ACCORDANCE WITH ARTICLE XV.2 OF THE ACT
22 PRIOR TO THE TIME THAT ANY ELECTED COUNTY OFFICIAL TAKES OFFICE
23 AFTER THE MUNICIPAL ELECTION NEXT FOLLOWING THE EFFECTIVE DATE
24 OF THIS SECTION. BONDS AND INSURANCE, WHICH, ON THE EFFECTIVE
25 DATE OF THIS SECTION, COVER COUNTY OFFICERS AND EMPLOYEES, SHALL
26 REMAIN IN FORCE AND EFFECT UNTIL REQUIRED SECURITY IS PURCHASED.

27 Section 4 12. This act shall take effect immediately.