



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 163

PRINTERS NO. 2175

PRIME SPONSOR: Benninghoff

COST / (SAVINGS)

FUND	FY 2012/13	FY 2013/14
4 th and 5 th Class County Funds	\$0	See Fiscal Impact

SUMMARY: Amends the County Code to provide for a county, advancing from the fifth to the fourth class, to have the options of maintaining the status quo of one person continuing to hold the offices of prothonotary and clerk of courts. The legislation would also allow these same counties the option of one person holding the offices of register of wills, recorder of deeds and clerk of the orphans' court. The legislation also provides a county, advancing from the sixth class to the fifth class, with the option of maintaining the status quo of one person continuing to hold the offices of register of wills, recorder of deeds and clerk of the orphans' court. This legislation would take effect in 60 days.

ANALYSIS: This legislation allows the county commissioners of a county advancing from a fifth class designation to a fourth class designation to adopt a resolution providing that one person can continue to hold the offices of prothonotary and clerk of courts, rather than separating the offices of prothonotary and clerk of courts so that they are held by two different people.

This legislation also adds language that the county commissioners of a county advancing from the fifth to the fourth class may, unless local law applying to such counties shall provide otherwise, adopt a resolution providing that one person shall hold the offices of register of wills, recorder of deeds and clerk of the orphans' court.

This legislation provides that a county advancing from fifth to fourth class may, in consultation with the President Judge of the county Court of Common Pleas, keep the current configuration of the county's row offices until they deem it appropriate to separate them. When a county does decide to separate the combined offices, it cannot be done until the offices are next up for election.

The legislation further provides that the county commissioners of a county advancing from the sixth to the fifth class may adopt a resolution providing that one person shall continue to hold the offices of register of wills, recorder of deeds and clerk of the orphans' court, unless local laws applying to such counties shall otherwise provide. Also provides the recombining of the

offices that have already been separated shall take effect in the year in which the offices are next up for election, at which time offices in the county shall be held in accordance with the subsection authorizing the combining of the offices or any other general law applicable to the holding of offices and to the classification of the county.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth funds or non-4th or non-5th class county funds.

The legislation would save 4th class counties (former 5th class per prior census) some funds in that these counties would not be required to have 2 separate individuals hold the offices of prothonotary and clerk of courts. These savings are indeterminable at this point but would include the salary and benefits of the clerk of courts, operating expenses for the new elected office, as well as additional personnel to accommodate such office. Examples of salaries of clerks of courts in 4th class counties include Beaver - \$56,858, Butler - \$68,090, Cambria - \$51,234, Fayette - \$44,837, Schuylkill - \$50,526, and Washington - \$65,343.

This legislation would save 4th class counties (former 5th class per prior census) some additional funds in that these counties would not be required to have 2 separate individuals hold the offices of register of wills/clerk of the orphans' court and recorder of deeds. These savings are indeterminable at this point but would include the salary and benefits of the new register of wills/clerk of the orphans' court or the new recorder of deeds, operating expenses for the new elected office, as well as additional personnel to accommodate such office. Examples of salaries of registers of wills/clerks of the orphans' court and recorders of deeds in 4th class counties include Beaver - \$56,848 and \$58,848 respectively, Butler - \$68,090 and \$73,781 respectively, Cambria - \$51,234 and \$53,234 respectively, Fayette - \$44,837 and \$46,837 respectively, Schuylkill - \$50,526 and \$55,227 respectively, and Washington - \$65,343 and \$67,343 respectively.

This legislation would save 5th class counties (former 6th class per prior census) some funds in that these counties would not be required to have 2 separate individuals hold the offices of register of wills/clerk of the orphans' court and recorder of deeds. These savings are indeterminable at this point but would include the salary and benefits of the new register of wills/clerk of the orphans' court or recorder of deeds, operating expenses for the new elected office, as well as additional personnel to accommodate such office. Examples of salaries of the positions aforementioned in 5th class counties include Blair - \$60,070 and \$60,070, Lawrence - \$57,071 and \$57,071, Lebanon - \$51,407 and \$56,417, Lycoming - \$56,075 and \$56,075, Mercer - \$54,006 and \$57,963, and Northumberland - \$57,395 and \$57,395.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: June 30, 2013

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.