

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO.

House Bill 1607

PRINTER'S NO.

2295

AMOUNT

No Fiscal Impact

FUND

General

DATE INTRODUCED

June 3, 2009

PRIME SPONSOR

Representative Caltagirone

HISTORY OF BILL

Referred to JUDICIARY, June 3, 2009
Reported as amended, June 16, 2009
First consideration, June 16, 2009
Re-committed to RULES, June 16, 2009
Re-reported as committed, June 25, 2009
Re-committed to APPROPRIATIONS, June 25, 2009
Re-reported as committed, June 25, 2009
Second consideration, with amendments, June 25, 2009
(Remarks see House Journal Page), June 25, 2009
Third consideration and final passage, June 29, 2009 (199-0)

IN THE SENATE

Referred to JUDICIARY, July 1, 2009
Reported as committed, July 14, 2009
First consideration, July 14, 2009
Re-referred to APPROPRIATIONS, July, 14, 2009
Re-reported as committed, Oct. 2, 2009
Second consideration, Oct. 2, 2009
Re-committed to APPROPRIATIONS, Oct. 2, 2009

DESCRIPTION AND PURPOSE OF BILL

House Bill 1607 consolidates statutory law relating to constables by creating a new chapter, Chapter 71, under part IV in Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes.

Constable related provisions that are currently contained in Title 42 (Judicial Code), Title 25 (Election Code), Title 75 (Vehicle Code) and

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

several other unconsolidated acts are repealed and codified in the newly created Chapter 71 under eight subchapters. They are as follows:

- A. Preliminary Provisions – includes the scope of the chapter, a definition and the abolishing as of February 10, 1970, the office of constable in cities of the first class;
- B. Election – sets the term of office for constables at six years and provides specific provisions related to the election of constables in cities of the second and third classes, boroughs and townships;
- C. Appointment – provides for appointments of constables when a vacancy occurs and for the appointment of deputy constables;
- D. Conflicts – governs conflicts that arise between the office of constable and other positions, such as a police officer;
- E. Training – provides for mandatory training and continuing education requirements and liability insurance requirements prior to becoming certified by the Constables' Education and Training Board;
- F. Powers and Duties – provides for the powers and duties of constables and the requirement that constables shall perform all duties authorized or imposed on them by statute;
- G. Compensation – contains the fees that a constable may charge for various services performed on behalf of the court, such as serving complaints in such matters as landlord-tenant, civil and criminal;
- H. Penalties and Remedies – provides for various penalties and remedies related to the official conduct of a constable and civil and criminal penalties for the neglect or refusal to perform statutory duties.

The intent of this legislation is to combine, in one title of the Pennsylvania Consolidated Statutes, all of the provisions of law that relate to constables in the Commonwealth. No substantive changes in the law are intended.

FISCAL IMPACT:

This legislation is simply a codification of existing laws into a newly created chapter in Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes and is not intended to make any substantive changes in the new law. Therefore, the enactment of this legislation will have no fiscal impact on Commonwealth funds.