

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1026

PRINTER'S NO. 3876

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 14, 2011

PRIME SPONSOR

Representative Caltagirone

HISTORY OF BILL

Referred to JUDICIARY, March 14, 2011

Reported as committed, April 26, 2011

First consideration, April 26, 2011

Laid on the table, April 26, 2011

Removed from table, June 14, 2011

Laid on the table, June 14, 2011

Removed from table, June 20, 2011

Second consideration, June 21, 2011

Re-committed to APPROPRIATIONS, June 21, 2011

Re-reported as committed, June 22, 2011

Third consideration and final passage, June 22, 2011 (201-0)

(Remarks see House Journal Page 1398), June 22, 2011

In the Senate

Referred to JUDICIARY, June 23, 2011

Reported as committed, March 6, 2012

First consideration, March 6, 2012

Re-referred to APPROPRIATIONS, March 27, 2012

Re-reported as amended, June 28, 2012

DESCRIPTION AND PURPOSE OF BILL

House Bill 1026, as amended, amends Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes further providing for retired or senior judges administering oaths and affirmations and extends the sunset dates for the senior judge operational grant program and the Access to Justice Act.

This legislation amends §327 (Oaths and Acknowledgments) by adding a new subsection (b) that authorizes retired or senior judges to administer oaths and affirmations and take acknowledgments so long as all of the following criteria are met:

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- The judge or justice has served on the court for an aggregate period equaling a full term of office;
- They have not been defeated for reelection or retention;
- They have not been convicted of or pleaded nolo contendere to any misdemeanor or felony offense in this or another jurisdiction;
- They have not resigned their judicial commission to avoid any prosecution, including those threatened by the Judicial Conduct Board;
- They have not been removed from office by the Court of Judicial Discipline; and
- They are a resident of the Commonwealth.

This section of the bill takes effect in 60 days.

Finally, the bill amends §1906 (i) (Senior judge operational support grants) and §4907 (Access to Justice). This legislation extends the sunset date for the senior judge operation support grants program administered by the Administrative Office of Pennsylvania Courts from June 30, 2012 to June 30, 2017 and the sunset date for Chapter 49 of Title 42, known as the Access to Justice Act from November 1, 2012 to November 1, 2017.

This section of the bill shall take effect immediately.

FISCAL IMPACT:

The enactment of this legislation simply provides for an authorization for retired or senior judges to administer oaths and affirmations and extends the sunset dates for two separate grant programs in the Judiciary and will have no adverse fiscal impact on Commonwealth funds.

The General Appropriations Act of 2011 and Senate Bill 1466 of the current session both contain an appropriation of \$1.335 million for the Senior Judge Operational Grant program.