

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** House Bill 1644

**PRINTER'S NO.** 2730

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

June 8, 2011

**PRIME SPONSOR**

Representative Dunbar

**HISTORY OF BILL**

Referred to LOCAL GOVERNMENT, June 8, 2011

Reported as committed, June 14, 2011

First consideration, June 14, 2011

Re-committed to RULES, June 14, 2011

Re-reported as committed, June 22, 2011

Second consideration, June 22, 2011

Re-committed to APPROPRIATIONS, June 22, 2011

Re-reported as committed, June 23, 2011

Third consideration and final passage, June 24, 2011 (197-0)

In the Senate

Referred to LOCAL GOVERNMENT, June 26, 2011

Reported as committed, Sept. 27, 2011

First consideration, Sept. 27, 2011

Re-referred to APPROPRIATIONS, Oct. 17, 2011

Re-reported as amended, Nov. 14, 2011

**DESCRIPTION AND PURPOSE OF BILL**

House Bill 1644, as amended, amends The County Code (Act 130 of 1955) by authorizing the sale of personal property by means of an online or electronic auction sale and provides counties of the second class A or third through eighth classes with the option of abolishing by resolution the office of jury commissioner.

The legislation amends section 1805 of Act 130 of 1955 relating to sales of personal property and surplus farm products, which specifies the requirements counties must follow to purchase and sell real and personal property. During an electronic auction sale, bids shall be accepted electronically at the time and in the manner designated in the advertisement, and each bidder shall have the capability to view the bidder's bid rank or the high bid price. Bidders may increase their bid prices during the electronic auction.

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The record of the electronic auction shall be accessible for public inspection. The purchase price, including shipping charges, if any, shall be paid by the high bidder immediately or at a reasonable time after the conclusion of the electronic auction as determined by council.

A county that has complied with the advertising requirements of section 1805 may provide additional public notice of the sale by bids or public auction in any manner deemed appropriate by council. The advertisement for electronic auction sales shall include the Internet address or means of accessing the electronic auction and the date, time and duration of the electronic auction.

With regard to the office of jury commissioner, House Bill 1644 provides that after review of procedures in effect within the county to ensure that lists of potential jurors are a representative cross section of the community, the governing body of a county of the second class A or third through eighth class may adopt, by a majority vote, a resolution abolishing the office of jury commissioner.

Upon approval of the resolution, the office of jury commissioner shall expire at the completion of the current jury commissioners' terms of office. The resolution shall not be passed in any year in which the office of jury commissioner is on the ballot.

### **FISCAL IMPACT:**

Enactment of this legislation will have no adverse fiscal impact to the Commonwealth. Third through eighth class counties will realize the potential for increased revenues from the sale of county personal property to a wider audience and the potential for reduced costs by not having to conduct live auctions.

With regard to county funds and the office of jury commissioner, House Bill 1644 has no fiscal impact unless a county exercises the option to abolish the office of jury commissioner. Any fiscal impact will depend upon how a county utilizes its jury commissioners compared with how a county chooses to replace the functions now performed by those commissioners. In addition, the legislation specifies that the abolishment of the office shall expire at the completion of the current jury commissioners' terms of office. Therefore, any fiscal impact will not occur prior to the expiration of those terms.

Volume 119 of *The Pennsylvania Manual* was used to determine the salaries of the county jury commissioners. The legislation will not affect every county. However, of the 53 or so counties most likely to be potentially affected, the cumulative average salary of two jury commissioners in each county is calculated at \$18,360. It is believed that a few counties also provide benefits, but most do not.

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The data suggests that a county which chooses the option of abolishing the office of jury commissioner will likely realize savings of less than \$20,000 per year, on average. However, to the extent that a county replaces its jury commissioners with some other means to continue the necessary function of jury selection, the savings would be less.