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House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

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DATE: March 3, 2011

TO: All members of the House of Representatives

FROM: Rep. Thomas R. Caltagirone

RE: Re-introduction of Legislation – Permitting Retired Judges to Administer Oaths (the former HB2445).

I will soon be re-introducing legislation to amend Section 327 of Title 42 to permit retired judges to administer oaths and affirmations, as long as certain criteria are met.

Under my bill, retired judges, whether magisterial district, common pleas, Philadelphia Municipal, or appellate, would be authorized to administer oaths and affirmations.

For a newly elected local government official, the choice of whom he or she chooses to administer the oath of office to them is a choice that is seldom taken lightly. Often a retired judge will have been a mentor or advisor to the new local official, yet under current law retired judges may not formally administer the oath of office.

Only former judges that meet the same criteria we passed into law last term regarding the solemnization of marriages would be eligible. Former judges who no longer serve due to election or retention defeat, were convicted or pleaded *nolo contendere* to a criminal charge, retired to avoid prosecution, or were removed by the court of judicial discipline would *not* be eligible to administer oaths, only those who left the bench in good standing.

The bill passed in the House last term, 197-2, but the Senate failed to act on it.

Co-sponsors in the prior term were: CALTAGIRONE, BISHOP, BRENNAN, BRIGGS, DENLINGER, FABRIZIO, FLECK, GERGELY, KILLION, KNOWLES, KORTZ, KOTIK, KULA, LONGIETTI, MAHONEY, MANN, MELIO, MICOZZIE, MILLARD, M. O'BRIEN, QUINN, SCAVELLO, SEIP, SIPTROTH, THOMAS, YOUNGBLOOD AND GRUCELA

If you wish to co-sponsor this legislation, please contact Patty Tamayo in my office at 787-3525, or e-mail at [ptamayo@pahouse.net](mailto:ptamayo@pahouse.net).