

**CREATING A COUNTY RECORDS COMMITTEE**  
**Act of Aug. 14, 1963, P.L. 839, No. 407**  
AN ACT

Cl. 16

Creating a county records committee; imposing powers and duties upon it; authorizing the Pennsylvania Historical and Museum Commission to assist and cooperate with it; defining county records; and authorizing the disposition of certain county records by county officers in counties of the second to eighth class. (Title amended Nov. 23, 1976, P.L.1161, No.258)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. There is hereby created a county records committee which shall consist of sixteen members who shall be appointed by the Governor for a term of four years. One member of the committee shall be the Chief Justice of the Pennsylvania Supreme Court, or his judicial representative, one a representative of the Pennsylvania Historical and Museum Commission, one an attorney, one a prothonotary, one a clerk of courts, one a county commissioner, one a county controller or auditor, one a district attorney, one a county treasurer, one a sheriff, one a register of wills, one a recorder of deeds, one a clerk of orphans' court, one a jury commissioner, one a coroner, and the other a member of the general public. The committee shall select one of its members to serve as chairman. Within the means at its command, the Pennsylvania Historical and Museum Commission shall assist and cooperate with the county records committee by providing for its necessary expenses, by providing for examining and inventorying county records for the preparation of schedules, and by enforcing such schedules and procedures as the county records committee may make or revise under the provisions of this act.

(1 amended Oct. 7, 2010, P.L.480, No.67)

Section 2. The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Commission." The Pennsylvania Historical and Museum Commission of the Commonwealth.

"County." Any county of the second through eighth class, including any of such counties as may have adopted a home rule charter.

"County records." Any papers, dockets, books, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received in any office of county government in pursuance of law or in connection with transactions of public business in the exercise of its legitimate functions and the discharge of its responsibilities.

(2 amended Feb. 18, 1998, P.L.181, No.29)

Section 3. It shall be the duty of the committee to meet at least once a year to make or revise schedules setting forth the conditions under which county records filed in any office of

county government may be disposed of. Meetings of the committee shall be called by the Executive Director of the Pennsylvania Historical and Museum Commission; however, meetings may also be called by the chairman or by a majority of the members of the committee whenever the chairman or the majority of members deems it necessary.

(3 amended Feb. 18, 1998, P.L.181, No.29)

Section 4. County officers in counties, as defined in this act, may dispose of all county records in their custody, provided they follow the schedules and procedures prescribed by the county records committee and maintain a log of individual disposition actions involving nonpermanent records. Copies of such logs, in a form approved by the committee, shall be submitted annually to the commission. Original records scheduled for permanent retention may be disposed of if the county officer creates and maintains a copy of the original in conformance with section 4.1 and receives written permission from the commission. Written permission from the commission is required only for disposition actions involving records scheduled for permanent retention, records not listed on the schedules and records selected for transfer to the State Archives.

(4 amended Feb. 18, 1998, P.L.181, No.29)

Section 4.1. Records may be recorded, copied or recopied in conformance with the act of May 9, 1949 (P.L.908, No.250), entitled "An act relating to public records of political subdivisions other than cities and counties of the first class; authorizing the recording and copying of documents, plats, papers and instruments of writing by photostatic, photographic, microfilm or other mechanical process, and the admissibility thereof and enlargements thereof in evidence; providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless; and providing for the services of the Department of Property and Supplies to political subdivisions," and applicable policies, standards and procedures adopted by the committee. In the event of any such destruction or other disposition of any public records under the provisions of this section, the copy shall be receivable in evidence in any court or proceeding and shall have the same force and effect as though the original public record had been there produced and proved.

(4.1 added Feb. 18, 1998, P.L.181, No.29)

Section 5. No county officer shall be held liable on his official bond or in anyway, either civil or criminal, because of the disposition of records, provided he disposes of the records in accordance with the schedules adopted by the committee.

(5 amended Nov. 22, 1968, P.L.1083, No.335)

Section 6. All acts and parts of acts are repealed in so far as they are inconsistent herewith.

(6 amended Nov. 30, 1967, P.L.650, No.300)

Section 7. This act shall take effect immediately.

(7 amended Nov. 30, 1967, P.L.650, No.300)