
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 65

Session of
1975

INTRODUCED BY MESSRS. BERSON, MANDERINO, SCIRICA,
W. D. HUTCHINSON, AND WOJDAK, JANUARY 27, 1975

SENATOR HILL, JUDICIARY, IN SENATE, RE-REPORTED AS AMENDED,
MAY 25, 1976

AN ACT

1 Amending Titles 45 (Legal Notices) and 1 (General Provisions) of
2 the Pennsylvania Consolidated Statutes, adding revised,
3 codified and compiled provisions relating to legal notice and
4 publication of documents AND REVISING AND REENACTING
5 SEPARATELY CERTAIN RELATED PROVISIONS. <—

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

14 Section 1. Title 45, act of November 25, 1970 (P.L.707,
15 No.230), known as the Pennsylvania Consolidated Statutes, is
16 amended by adding parts to read:

17 TITLE 45

18 LEGAL NOTICES

19 Part

20 I. Preliminary Provisions

21 II. Publication and Effectiveness of Commonwealth Documents

22 PART I

23 PRELIMINARY PROVISIONS

24 Chapter

25 1. General Provisions

26 3. Legal Advertising

27 CHAPTER 1

28 GENERAL PROVISIONS

29 Sec.

30 101. Definitions.

1 § 101. Definitions.

2 (a) Definitions applicable to printing or newspaper
3 advertising laws.--Subject to additional definitions contained
4 in subsequent provisions of this title which are applicable to
5 provisions of this title, the following words and phrases when
6 used in:

7 (1) this title; or

8 (2) any other law relating to printing or newspaper
9 advertising;

10 shall have, unless the context clearly indicates otherwise, the
11 meanings given to them in this subsection:

12 "Advertisement." A printed public notice, relating to any
13 matter, authorized by any person, which is published for a
14 valuable consideration in a publication, and which may be
15 required by law, rule, order, or decree of court, or resolution
16 of any corporation, or unincorporated association, or by action
17 of any government unit.

18 "Advertiser." Any person who orders and directs a notice or
19 advertisement to be printed or published in a publication.

20 "Advertising rule." The line between, or which separates,
21 any two advertisements or notices.

22 "Agate." A type 5 1/2 type points in depth or height.

23 "Bourgeois." A type 9 type points in depth or height.

24 "Brevier." A type 8 type points in depth or height.

25 "Carrier." A person engaged for hire in the delivery of
26 publications.

27 "Circulation." The number of copies printed, issued, sold,
28 or subscribed for, by the day, week, month, or year, at a
29 particular price for each copy, or for a series of issues over a
30 definite period by any publication, but the term does not

1 include copies exchanged for other publications or copies or
2 issues circulated gratuitously.

3 "Classified advertising." Intelligence or notices, published
4 and printed in small or inconspicuous type, as advertising,
5 classed with similar notices of advertising, and for which
6 compensation is intended to be charged.

7 "Class magazine" or "class newspaper." A printed paper or
8 publication containing class, professional, trade, commercial,
9 technical, scientific, educational, religious, financial, legal
10 or other matter and intelligence, intended to be disseminated
11 exclusively among subscribers or readers concerned or interested
12 in the subject matters published.

13 "Column." A single unit or upright section, of the total
14 height of the type printed page, as separated from the remainder
15 of the page by a line, rule, or space, and not less than 10 ems
16 pica in width.

17 "Column rule." The printed line between, or which separates,
18 the printed columns of any type page.

19 "Court." A court or tribunal of record, established for the
20 public administration of justice under the provisions of the
21 Constitution of Pennsylvania or any statute.

22 "Daily newspaper." A newspaper regularly published at least
23 5 days in the week, either including or excluding Sundays and
24 legal holidays.

25 "Decree." A decision, judgment, order or sentence of any
26 court.

27 "Display advertising." Intelligence made conspicuous, and
28 designated by either reading matter, printed from various sizes,
29 kinds and styles of types or illustrations, and printed or
30 published for a compensation, demanded or intended to be

1 received from those interested in, affected or served by, the
2 subject matter published.

3 "Em." A square of a type, or a space equal to the square of
4 the depth or height of a particular type, as measured by the
5 number of points in height of the type.

6 "Journal." A newspaper, class newspaper, periodical, or
7 magazine.

8 "Law." A statute, a home rule charter, or an enactment
9 entitled an ordinance, resolution, rule or regulation of any
10 government unit.

11 "Legal advertisement." A notice, advertisement, publication,
12 statement, or abstract of a notice, advertisement, publication,
13 or statement, required by resolution of a corporation,
14 unincorporated association, or government unit, or ordinance of
15 a ~~government agency~~ POLITICAL SUBDIVISION, or by law, or by <—
16 rule, order, or decree of court, to be published, for a valuable
17 consideration, in either a newspaper of general circulation, a
18 legal newspaper or an official newspaper.

19 "Legal newspaper." A newspaper which is a "legal
20 periodical," "official legal newspaper," or "official legal
21 periodical," publishing legal intelligence, as designated by
22 general rule or rule of court for the publication of legal
23 advertisements and notices required by law, rule, order, or
24 decree of court, to be published in a legal newspaper, legal
25 periodical, official legal newspaper, or official legal
26 periodical, so designated by general rule or rule of court.

27 "Legal notice." When required to be printed or published,
28 either a legal advertisement, a legal notice, an official
29 advertisement, or an official legal notice.

30 "Liners." Advertisements, published as reading notices,

1 intelligence, or announcements for which compensation is
2 intended to be charged to those interested in the publication
3 thereof.

4 "Long primer." A type 10 type points in depth or height.

5 "Magazine." Partakes of the nature of a periodical.

6 "Minion." A type 7 type points in depth or height.

7 "News." Narrative, or recent intelligence, disseminating
8 current information as to local, general, or world-wide
9 happenings, concerning any person or persons, matters of private
10 or public interest, or concerning any matters affecting the
11 public welfare.

12 "Newspaper."

13 (1) A printed paper or publication, bearing a title or
14 name, and conveying reading or pictorial intelligence of
15 passing events, local or general happenings, printing
16 regularly or irregularly editorial comment, announcements,
17 miscellaneous reading matter, commercial advertising,
18 classified advertising, legal advertising, and other notices,
19 and which has been issued in numbers of 4 or more pages at
20 short intervals, either daily, twice or oftener each week, or
21 weekly, continuously during a period of at least 6 months, or
22 as the successor of such a printed paper or publication
23 issued during an immediate prior period of at least 6 months,
24 and which has been circulated and distributed from an
25 established place of business to subscribers or readers
26 without regard to number, for a definite price or
27 consideration, either entered or entitled to be entered under
28 the Postal Rules and Regulations as second class matter in
29 the United States mails, and subscribed for by readers at a
30 fixed price for each copy, or at a price fixed per annum. A

1 newspaper may be either a daily newspaper, weekly newspaper,
2 newspaper of general circulation, official newspaper, or a
3 legal newspaper, as defined in this section. Continuous
4 publication within the meaning of this section shall not be
5 deemed interrupted by any involuntary suspension of
6 publication resulting from loss, destruction, failure or
7 unavailability of operating facilities, equipment or
8 personnel from whatever cause, and any newspaper so affected
9 shall not be disqualified to publish official and legal
10 advertising in the event that publication is resumed within 1
11 week after it again becomes possible.

12 (2) A printed paper or publication, regardless of size,
13 contents, or time of issue, or number of copies issued,
14 distributed and circulated gratuitously, is not a newspaper.

15 (3) A printed paper or publication, not entitled to be
16 entered, or which has been denied entry, as second class
17 matter in the United States mails under the Postal Rules and
18 Regulations of the United States is not a newspaper.

19 "Newspaper of general circulation." A newspaper issued
20 daily, or not less than once a week, intended for general
21 distribution and circulation, and sold at fixed prices per copy
22 per week, per month, or per annum, to subscribers and readers
23 without regard to business, trade, profession or class.

24 "Nonpareil." A type 6 type points in depth or height.

25 "Notice." A formal printed announcement, transmitting
26 intelligence, information, or warning, to a particular person,
27 or generally to all persons who may read such notice.

28 "Official advertisement." A notice, advertisement,
29 publication, or statement, or an abstract of a notice,
30 advertisement, publication, or statement, required to be made by

1 law, rule, order, or decree of court, by any person, or in the
2 conduct of the business of a private or public corporation, or
3 on the order of any government unit, or in the performance of
4 any official duty imposed by law, rule, order, or decree of
5 court, resolution or ordinance.

6 "Official advertising and legal advertising." Any
7 advertisement, notice, statement, report, resolution, ordinance,
8 or abstract of the same, required by law, rule, order or decree
9 of court, by resolution of any board of directors, shareholders
10 or officers of any corporation or unincorporated association, or
11 any government unit to be printed and published for a valuable
12 consideration in a newspaper.

13 "Official newspaper." A newspaper designated by a government
14 unit for the publication of notices and statements required by
15 rule, order, resolution, or ordinance of such unit.

16 "Ordinance." A municipal rule or regulation, adopted in the
17 manner required by statute or home rule charter, by the lawfully
18 constituted officers of any political subdivision or municipal
19 or other local authority.

20 "Periodical." A printed paper or publication, issued in
21 pamphlet or book form, regardless of page size or number of
22 pages, at stated or regular intervals of more than 1 day between
23 each issue, containing either general, class, trade, technical,
24 scientific, serial articles, or other reading matter,
25 advertising, et cetera, and entitled to be entered as second
26 class matter in the United States mails under the Postal Rules
27 and Regulations of the United States.

28 "Pica." A type 12 type points in depth or height.

29 "Point." A unit of measurement for determining the height of
30 a type, letter, figure, or other character, or the width of a

1 rule, as heretofore generally known and fixed by general
2 agreement of certain type founders and manufacturers, at 0.0138
3 inch in length.

4 "Proof of publication." A printed or written statement,
5 declaring the name of a newspaper of general circulation, a
6 legal newspaper or an official newspaper, as defined in this
7 section, its place of business, when the same was established,
8 the date or dates, and issue or issues, in which a printed
9 notice or publication appeared, and to which is securely
10 attached, exactly as printed or published, a copy of the
11 official advertisement, official notice, legal notice, or legal
12 advertisement, verified with a statement of the owner,
13 publisher, or the designated agent of the owner or publisher, of
14 such publication in which the official or legal advertisement or
15 notice was published, duly sworn to before a person authorized
16 to administer oaths, and also declaring that the affiant is not
17 interested in the subject matter of the notice or advertising,
18 and that all of the allegations of the statement as to the time,
19 place, and character of publication are true.

20 "Publication."

21 (1) The act of printing a notice, advertisement, or
22 proclamation, for the purpose of disseminating information to
23 the people at large.

24 (2) A journal, magazine, newspaper, class newspaper or
25 periodical.

26 "Rate." The price or sum fixed for printing and publishing
27 either official, legal, or commercial advertising, and may be
28 either a price or sum fixed for a single reading line in a
29 single column, or for a space of the depth of 1 inch in a single
30 column, or it may mean the particular stated sums or prices

1 fixed for printing and publishing official or legal advertising,
2 where the style and form does not vary except for the names and
3 addresses of the interested parties, such as notices of
4 applications for charters of incorporation, shareholders'
5 meetings, executors, administrators or auditors' notices,
6 register of wills' audit notices, obituary or death notices, et
7 cetera.

8 "Reading matter." News or other printed matter, intended to
9 be read, as distinguished from intelligence notices,
10 announcements, display advertising, or advertising published for
11 a compensation.

12 "Resolution." A formal agreement or consent to do or not to
13 do a certain thing, which has been recorded upon the minutes or
14 records of a government unit, or by either the shareholders,
15 board of directors or other body of a corporation, or by the
16 members, directors, managers, or trustees of an unincorporated
17 association or society of individuals.

18 "Rule." Any formal order or direction made by a tribunal or
19 other government unit.

20 "Sample copy." A copy of a publication distributed without
21 charge or expense to prospective subscribers or advertisers, in
22 numbers limited by the United States Postal Rules and
23 Regulations governing second class mail matter.

24 "Small pica." A type 11 type points in depth or height.

25 "Space." The length and breadth of a printed type page, or
26 any subdivision thereof, intended to be used for either news or
27 advertising matter of any kind.

28 "Subscriber." A person who buys or orders verbally or by
29 written subscription, or accepts upon delivery from the United
30 States mails or a carrier, issues or copies of any publication.

1 "Type." A piece of metal or wood from which either a letter,
2 figure, or other character is impressed with ink upon paper, or
3 an image of such a character.

4 "Weekly newspaper." A newspaper issued at least once a week.

5 (b) Other definitions.--Subject to additional definitions
6 contained in subsequent provisions of this title which are
7 applicable to specific provisions of this title, the following
8 words and phrases when used in this title shall have, unless the
9 context clearly indicates otherwise, the meanings given to them
10 in this subsection:

11 ~~"Commonwealth agency." Any executive agency or independent~~ <—
12 ~~agency.~~

13 "COMMONWEALTH AGENCY." THE GOVERNOR AND THE DEPARTMENTS, <—
14 BOARDS, COMMISSIONS, AUTHORITIES AND OTHER OFFICERS AND AGENCIES
15 OF THE COMMONWEALTH GOVERNMENT, BUT THE TERM DOES NOT INCLUDE
16 ANY COURT OR OTHER OFFICER OR AGENCY OF THE UNIFIED JUDICIAL
17 SYSTEM, OR THE GENERAL ASSEMBLY AND ITS OFFICERS AND AGENCIES.

18 "Commonwealth government." The government of the
19 Commonwealth, including the courts and other officers or
20 agencies of the unified judicial system, the General Assembly
21 and its officers and agencies, the Governor, and the
22 departments, boards, commissions, authorities and officers and
23 agencies of the Commonwealth, but the term does not include any
24 political subdivision, municipal or other local authority, or
25 any officer or agency of any such political subdivision or local
26 authority.

27 ~~"Executive agency." The Governor and the departments,~~ <—
28 ~~boards, commissions, authorities and other officers and agencies~~
29 ~~of the Commonwealth government, but the term does not include~~
30 ~~any court or other officer or agency of the unified judicial~~

1 ~~system, the General Assembly and its officers and agencies, or~~
2 ~~any independent agency.~~

3 "General rule." A rule or order promulgated by or pursuant
4 to the authority of the Supreme Court.

5 ~~"Government agency." Any Commonwealth agency or any~~ <—

6 GOVERNMENT UNIT." THE COMMONWEALTH GOVERNMENT, AND ANY <—

7 political subdivision or municipal or other local authority, or
8 any officer or agency of any such political subdivision or local
9 authority.

10 ~~"Government unit." The General Assembly and its officers and~~ <—

11 ~~agencies, any government agency or any court or other officer or~~
12 ~~agency of the unified judicial system.~~

13 ~~"Independent agency." Boards, commissions, authorities and~~
14 ~~other agencies and officers of the Commonwealth government which~~
15 ~~are not subject to the policy supervision and control of the~~
16 ~~Governor, but the term does not include any court or other~~
17 ~~officer or agency of the unified judicial system or the General~~
18 ~~Assembly and its officers and agencies.~~

19 "Rule of court." A rule promulgated by a court regulating
20 the practice or procedure before the promulgating court.

21 CHAPTER 3

22 LEGAL ADVERTISING

23 Sec.

24 301. Short title of chapter.

25 302. Scope and interpretation of chapter.

26 303. Level of advertising rates.

27 304. Establishment and change of advertising rates.

28 305. Charges taxable as costs and administration expenses.

29 306. Use of trade publications.

30 307. Effect of failure to advertise when required.

1 308. Additional publication in legal journals.

2 309. Inclusion of common geographical names.

3 310. No unauthorized advertisements to be published.

4 § 301. Short title of chapter.

5 This chapter shall be known and may be cited as the
6 "Newspaper Advertising Act."

7 § 302. Scope and interpretation of chapter.

8 The provisions of this chapter are intended to be a
9 comprehensive statute:

10 (1) Creating uniformity in the publication of legal
11 notices, official advertisements, and advertisements, or
12 abstracts of any notice, statement, or advertisement required
13 by law, rule, order or decree of court to be published in a
14 newspaper.

15 (2) Defining the publications in which official and
16 legal advertising shall be published.

17 (3) Prescribing methods for computing the charges
18 therefor.

19 (4) Providing that the expenses for publishing legal
20 advertising or notices shall be taxable and collectible as
21 costs in all matters except as otherwise provided by general
22 rules.

23 (5) Establishing a uniform method for determining the
24 cost of legal advertising and legal notices, where rates,
25 circulation of the particular publication, size of columns or
26 pages, and kind or size of type used vary, in newspapers of
27 different localities in this Commonwealth.

28 § 303. Level of advertising rates.

29 (a) General rule.--All official and legal advertising shall
30 be charged for at an established or declared rate or price per

1 single column, line of reading matter measured in depth by the
2 point system, or at a rate or price per inch single column. When
3 such official and legal advertising is not classified and is not
4 published according to prescribed or recognized forms, and no
5 rate has been established or declared, such rate for official
6 and legal advertising shall not be in excess of the rates
7 usually charged or received by the publication publishing such
8 official and legal advertising for commercial, general, or other
9 advertising.

10 (b) Exception.--Where official and legal advertising is
11 usually and ordinarily published according to recognized or
12 prescribed forms, or particular matters are itemized and
13 classified under general headings, subsection (a) shall not
14 prohibit the fixing of definite prices or sums for publishing
15 official and legal advertising, regardless of the number of
16 single column lines or space required for each item, notice, or
17 advertisement published in any separate matter or proceeding,
18 and regardless of rates established, fixed, charged or received
19 for commercial, general or other advertising. The purpose of
20 this subsection is to enable newspapers to take into
21 consideration, as elements, when fixing advertising rates or
22 charges, location of the advertisement in the newspaper, the
23 purpose to be served, the character of the advertising, and that
24 a newspaper is entitled to compensation for its readiness at all
25 times to render an advertising service.

26 § 304. Establishment and change of advertising rates.

27 All newspapers of general circulation, official newspapers
28 and legal newspapers accepting and publishing official and legal
29 advertising, are hereby required to fix and establish rates and
30 charges for official, legal and all other kinds of advertising,

1 offered or accepted for publication, and such publications shall
2 furnish, on demand, to any person having use for the same,
3 detailed schedules, stating the rates and charges which shall be
4 deemed to be in force and effect until changed or altered, and,
5 when changed or altered, such publication shall give the person
6 authorized or required to publish advertising, before demanding
7 or receiving compensation at any increased rate, notice that the
8 rates and charges of such publication for advertising have been
9 changed or abrogated, and that increased advertising rates and
10 charges have been established or fixed.

11 § 305. Charges taxable as costs and administration expenses.

12 Except as otherwise provided by general rule, all charges,
13 costs, and expenses incurred, including the fees for affidavits
14 to proofs of publication, for official and legal advertising in
15 any matter by any person shall be taxable, collectible and
16 payable as other court costs and expenses of administration are
17 required by law to be taxed, collected, and paid, upon all
18 decrees of court.

19 § 306. Use of trade publications.

20 (a) General rule.--Any government unit which is required by
21 law to advertise for bids for public works, contracts, supplies
22 or equipment, may, in its discretion, authorize the publication
23 of such advertising, in addition to the newspapers authorized by
24 the other provisions of this chapter, also in any publication or
25 journal devoted to the dissemination of information about
26 construction work published in this Commonwealth at least once a
27 week and circulating among contractors, manufacturers and
28 dealers doing business in the community in which such public
29 works are to be constructed or supplies or equipment purchased.

30 (b) Exception.--~~No~~ EXCEPT WITH RESPECT TO PUBLICATION BY ANY <—

1 CITY OF THIRD CLASS OR BOROUGH, NO advertisement for bids for
2 public works, contracts, supplies or equipment shall be inserted
3 in any publication or journal devoted to the dissemination of
4 information about construction work, unless such publication
5 meets the following requirements:

6 (1) It has been established and regularly issued from a
7 printing office and publication house in this Commonwealth
8 for a period of at least 18 months.

9 (2) It has been entered, or entitled to be entered, for
10 admission to the United States mails as second class matter.

11 (3) It has had a bona fide income from subscribers
12 within this Commonwealth of not less than \$15,000 per annum,
13 duly certified by a public accountant.

14 (4) The rates and charges for such advertising shall not
15 be in excess of those of newspapers of general circulation of
16 a like circulation published in the community in which the
17 public works are to be constructed or the supplies or
18 equipment purchased.

19 § 307. Effect of failure to advertise when required.

20 No legal proceeding, matter, or case in which notice is
21 required to be given by official or legal advertising, shall be
22 binding and effective upon any interested person unless such
23 official and legal advertising is printed and published in the
24 newspapers of general circulation, official newspapers, and
25 legal newspapers defined by this title, in the manner and as
26 required by statute, and by any rule, order, or decree of court,
27 resolution of a corporation, or unincorporated association, or
28 ordinance, rule, or regulation of any government unit, in the
29 proper newspapers of general circulation, official newspapers,
30 and legal newspapers, defined by this title, and a proof of

1 publication is filed of record in such matter or proceeding.

2 § 308. Additional publication in legal journals.

3 (a) General rule.--Except as otherwise provided by statute,
4 every notice or advertisement required by law or rule of court
5 to be published in one or more newspapers of general
6 circulation, unless dispensed with by special order of court,
7 shall also be published in the legal newspaper, issued at least
8 weekly, in the county, designated by rules of court for the
9 publication of court or other legal notices, if such newspaper
10 exists. Publication in such legal newspaper shall be made as
11 often as required to be made in such newspapers in general
12 circulation, and shall be subject to the same stipulations and
13 regulations as those imposed for the like services upon all
14 newspapers.

15 (b) Exceptions.--

16 (1) Subsection (a) shall not require the publication in
17 such legal newspapers of municipal ordinances, municipal or
18 county auditors' or controllers' reports, school district
19 auditors' or controllers' reports, or summaries or statements
20 thereof, mercantile appraisers' notice, advertising for bids
21 for contracts for public work, materials or supplies, or
22 lists of delinquent taxpayers.

23 (2) Publication of election notices in legal newspapers
24 shall be governed by the provisions of the act of June 3,
25 1937 (P.L.1333, No.320), known as the "Pennsylvania Election
26 Code."

27 § 309. Inclusion of common geographical names.

28 (a) General rule.--Whenever official advertising or legal
29 advertising involves a road, street, highway, bridge,
30 municipality, village or boundary, the advertisement shall, in

1 order that it may readily be understood by inhabitants of the
2 area involved, include the common, local or general usage
3 designation of every such road, street, highway, bridge,
4 municipality, village or boundary.

5 (b) Mistake.--The inclusion of a common local or general
6 language designation for the purpose of complying with
7 subsection (a), if mistaken or erroneous, shall not invalidate
8 any matter or proceeding which in all other respects is properly
9 and lawfully executed.

10 § 310. No unauthorized advertisements to be published.

11 No advertisement shall be published by any court or other
12 government unit, which is not duly authorized by law, nor in
13 more papers than so authorized.

14 PART II

15 PUBLICATION AND EFFECTIVENESS OF COMMONWEALTH DOCUMENTS

16 Chapter

17 5. General Provisions

18 7. Codification and Publication of Documents

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20 CHAPTER 5

21 GENERAL PROVISIONS

22 Sec.

23 501. Definitions.

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25 503. General administration of part.

26 504. Payment for documents.

27 505. Distribution of publication expenses.

28 506. Judicial notice.

29 507. Form of citation.

30 508. Effect of future legislation.

1 509. Format of documents.

2 § 501. Definitions.

3 Subject to additional definitions contained in subsequent
4 provisions of this part which are applicable to specific
5 provisions of this part, the following words and phrases, when
6 used in this part shall have, unless the context clearly
7 indicates otherwise, the meanings given to them in this section:

8 "Adjudication." Any order, decree, decision, determination
9 or ruling by an agency affecting personal or property rights,
10 privileges, immunities, duties, liabilities or obligations of
11 any or all of the parties to the proceeding in which the
12 adjudication is made.

13 "Administrative regulation." Any regulation except a
14 proclamation, executive order, executive directive or other
15 similar document promulgated by the Governor, and the term
16 includes a regulation which may be promulgated by an agency only
17 with the approval of the Governor.

18 "Agency." A Commonwealth agency.

19 "Agency text." The text of a document as issued, prescribed
20 or promulgated by the issuing, prescribing or promulgating
21 agency.

22 "Bulletin." The Pennsylvania Bulletin published under this
23 part.

24 "Bureau." The Legislative Reference Bureau. The powers
25 conferred by this part upon the bureau shall be exercised by the
26 Director of the Legislative Reference Bureau, or, in his
27 absence, by the Assistant Director thereof.

28 "Code." The Pennsylvania Code published under this part.

29 "Department." The Department of ~~Property and Supplies~~

30 GENERAL SERVICES.

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<—

1 "Document." Any proclamation, executive order, executive
2 directive or similar instrument promulgated by the Governor, and
3 any other order, regulation, rule, statement of policy,
4 adjudication, certificate, license, permit, notice or similar
5 instrument issued, prescribed or promulgated by or under the
6 authority of this Commonwealth. The term shall also include any
7 home rule charter heretofore or hereafter adopted by the
8 electors of any part of this Commonwealth or any optional plan
9 of government.

10 "Joint committee." The Joint Committee on Documents existing
11 under this part.

12 "Official text." The text of a document issued, prescribed
13 or promulgated by an agency as published by authority of this
14 part which has become in the manner provided by this part the
15 only valid and enforceable text of such document.

16 "Regulation." Any rule or regulation, or order in the nature
17 of a rule or regulation, promulgated by an agency under
18 statutory authority in the administration of any statute
19 administered by or relating to the agency, or prescribing the
20 practice or procedure before such agency. The term includes a
21 proclamation, executive order, executive directive or other
22 similar document promulgated by the Governor.

23 "Statement of policy." Any document, except an adjudication
24 or a regulation, promulgated by an agency which sets forth
25 substantive or procedural personal or property rights,
26 privileges, immunities, duties, liabilities or obligations of
27 the public or any part thereof, and includes, without limiting
28 the generality of the foregoing, any document interpreting or
29 implementing any statute enforced or administered by such
30 agency.

1 § 502. Joint Committee on Documents.

2 (a) Establishment.--The Joint Committee on Documents shall
3 consist of ~~six~~ FIVE governmental members and two public members. <—
4 The governmental members shall be the Attorney General, ~~the~~ <—
5 ~~Court Administrator of Pennsylvania,~~ the Director of the
6 Legislative Reference Bureau, the President pro tempore of the
7 Senate, the Speaker of the House of Representatives and the
8 Secretary of ~~Property and Supplies,~~ GENERAL SERVICES, or persons <—
9 severally designated in writing by them. The public members
10 shall be appointed by the Governor from among attorneys-at-law
11 or other members of the public who represent the class who may
12 be expected to refer to the documents published pursuant to this
13 part. For the purposes of act of April 9, 1929 (P.L.177,
14 No.175), known as "The Administrative Code of 1929" and its
15 supplements the joint committee shall be ~~an independent~~ <—
16 ~~administrative board.~~ A DEPARTMENTAL ADMINISTRATIVE BOARD IN THE <—
17 DEPARTMENT OF GENERAL SERVICES.

18 (b) Compensation.--The members of the joint committee shall
19 serve without compensation other than reimbursement for travel
20 and other actual expenses incurred in the performance of their
21 duties.

22 (c) Quorum and organization.--~~Five~~ FOUR members of the joint <—
23 committee shall constitute a quorum, and the committee shall
24 select from among its members a chairman and a vice-chairman,
25 and shall elect a secretary who need not be a member of the
26 committee.

27 (d) Powers and duties.--The joint committee shall exercise
28 the powers and perform the duties vested in and imposed upon it
29 by this part and any other powers and duties vested in and
30 imposed upon the committee by law. ~~No action by the joint~~ <—

~~committee hereafter under any of the following provisions of law shall be effective as to any executive agency unless such action is concurred in by the Attorney General or his designee:~~

~~2 Pa.C.S. § 102(b) (relating to uniform rules).~~

~~45 Pa.C.S. § 509 (relating to format of documents).~~

~~45 Pa.C.S. § 702 (relating to contents of Pennsylvania Code).~~

~~45 Pa.C.S. § 723(b) (relating to status of revised text).~~

~~45 Pa.C.S. § 724(c) (relating to official synopsis).~~

~~45 Pa.C.S. § 725 (relating to additional contents of Pennsylvania Bulletin).~~

~~45 Pa.C.S. § 727 (relating to matter not required to be published).~~

~~45 Pa.C.S. § 907(b) (relating to additional notice if not prohibited).~~

§ 503. General administration of part.

Subject to the provisions of section 732 (relating to required contractual arrangements), the manner in which the code, the permanent supplements thereto, and the bulletin, shall be printed, reprinted, compiled, indexed, bound and distributed, and all other matters with respect thereto not otherwise provided for in this part shall be prescribed by regulations promulgated or orders adopted by the joint committee. The joint committee shall administer this part and Subchapter A of Chapter 3 of Title 2 (relating to regulations of Commonwealth agencies) with a view toward encouraging the widest possible dissemination of documents among the persons affected thereby which is consistent with the due administration of public affairs.

§ 504. Payment for documents.

Payments for documents published by authority of this part shall be made to the Department of ~~Property and Supplies,~~

<—

1 GENERAL SERVICES, which shall pay the same into the State <—
2 Treasury through the Department of Revenue to the credit of the
3 appropriations of the bureau and the department in such
4 proportions as the joint committee shall specify.

5 § 505. Distribution of publication expenses.

6 (a) General rule.--In order to reimburse the Legislative
7 Reference Bureau for ~~the expenses of the joint committee and for~~ <—
8 the cost of administering this part and in order to reimburse
9 the Department of ~~Property and Supplies for~~ GENERAL SERVICES FOR <—
10 THE EXPENSES OF THE JOINT COMMITTEE AND FOR the costs incurred
11 in printing and distributing the publications provided for in
12 Subchapter B of Chapter 7 (relating to publication of documents)
13 which are neither recovered by the sale of such publications to
14 an agency under section 729 (relating to publication of
15 individual documents) and section 731 (relating to automatic
16 subscriptions) or to the public under section 504 (relating to
17 payment for documents) nor paid by appropriations made directly
18 to the bureau or the department for the costs and expenses of
19 such administration, printing and distribution, every government
20 unit issuing, prescribing or promulgating documents published by
21 authority of this part shall be billed at least quarterly by the
22 bureau and the Department of ~~Property and Supplies,~~ GENERAL <—
23 SERVICES, upon a cost basis, at such amounts as the joint
24 committee with the approval of the Executive Board shall
25 determine, for such costs and expenses. Amounts payable under
26 this section for reimbursing the bureau and the department for
27 the costs of administration and printing and distribution shall
28 be credited to the appropriations of the bureau and the
29 department respectively, and shall be paid out of the moneys in
30 the General Fund, special operating funds, or other funds of the

1 State Treasury currently appropriated to each such issuing,
2 prescribing or promulgating government unit.

3 (b) Direct appropriation.--Nothing in subsection (a) shall
4 limit the right of the General Assembly to make annual
5 appropriations to the bureau or the department, or both, for
6 their total anticipated costs and expenses under this part.

7 § 506. Judicial notice.

8 The contents of the code, of the permanent supplements
9 thereto, and of the bulletin, shall be judicially noticed.

10 § 507. Form of citation.

11 Without prejudice to any other mode of citation the code and
12 permanent supplements thereto may be cited by title and section
13 number, and the bulletin may be cited by volume and page number.

14 § 508. Effect of future legislation.

15 No subsequent statute shall be held to supersede or modify
16 the provisions of this part except to the extent that such
17 statute shall do so expressly.

18 § 509. Format of documents.

19 The agency text of all documents required to be deposited
20 with the Legislative Reference Bureau by this part shall be in
21 such form and format as may be prescribed by regulations
22 promulgated by the joint committee.

23 CHAPTER 7

24 CODIFICATION AND PUBLICATION OF DOCUMENTS

25 Subchapter

26 A. Codification of Regulations and Other Documents

27 B. Publication of Documents

28 SUBCHAPTER A

29 CODIFICATION OF REGULATIONS AND OTHER DOCUMENTS

30 Sec.

1 701. Official codification created.

2 702. Contents of Pennsylvania Code.

3 § 701. Official codification created.

4 It shall be the duty of the Legislative Reference Bureau,
5 subject to the policy supervision and direction of the joint
6 committee, to compile, edit and supplement or to contract
7 through the department for the compilation, editing and
8 supplementation of an official legal codification, to be divided
9 into titles of convenient size and scope, and to be known as the
10 "Pennsylvania Code."

11 § 702. Contents of Pennsylvania Code.

12 Except as otherwise provided by regulations promulgated by
13 the joint committee, the following documents shall be codified
14 in the code:

15 (1) All proclamations and executive orders of the
16 Governor which are general and permanent in nature.

17 (2) All administrative and other regulations.

18 (3) All statements of policy which are general and
19 permanent in nature.

20 (4) All documents or classes of documents required to be
21 codified in the code by statute.

22 (5) All general rules and rules of court.

23 (6) Any other judicial document or class of documents
24 which the governing authority of the unified judicial system
25 finds to be general and permanent in nature.

26 ~~(7) All home rule charters and optional plans of~~ <—
27 ~~government adopted by the electors of any part of this~~
28 ~~Commonwealth.~~

29 ~~(8)~~ (7) Any other document or class of documents which <—
30 the Governor, the joint committee or the Director of the

Legislative Reference Bureau finds to be general and permanent in nature.

SUBCHAPTER B

PUBLICATION OF DOCUMENTS

Sec.

721. Publication of official codification.

722. Deposit of documents required.

723. Processing of deposited documents.

724. Preliminary publication in Pennsylvania Bulletin.

725. Additional contents of Pennsylvania Bulletin.

726. Permanent supplements to Pennsylvania Code.

727. Matter not required to be published.

728. Matter not permitted to be published.

729. Publication of individual documents.

730. Pricing and distribution of published documents.

731. Automatic subscriptions.

732. Required contractual arrangements.

§ 721. Publication of official codification.

It shall be the duty of the Legislative Reference Bureau, subject to the policy supervision and direction of the joint committee, to arrange through the Department of ~~Property and~~ ~~Supplies~~ GENERAL SERVICES for the prompt printing and distribution of the code, the permanent supplements thereto and the bulletin, in the manner and at the times required in accordance with this subchapter and regulations promulgated hereunder.

§ 722. Deposit of documents required.

(a) General rule.--Two duplicate original copies, certified by the executive officer, chairman or secretary of the agency, or by the Administrative Office of Pennsylvania Courts or the

1 clerk or prothonotary of the Supreme Court, in the case of a
2 judicial document, of any document required or authorized to be
3 published under this subchapter, shall be deposited with the
4 Legislative Reference Bureau. If the bureau finds that such
5 document has been approved as to legality, if such approval is
6 required by 2 Pa.C.S. § 305 (relating to approval as to
7 legality), and is in the form and format required by any
8 applicable regulations promulgated under 2 Pa.C.S. § 306
9 (relating to format of regulations) or section 509 of this title
10 (relating to format of documents), it shall file such document,
11 assign thereto and indicate thereon a distinctive serial number,
12 and indicate thereon the date and time of filing.

13 (b) Disposition of copies.--Upon such filing one copy shall
14 be immediately available for public inspection and copying under
15 regulations promulgated by the joint committee, which copy shall
16 be retained by the bureau for one year after the publication
17 thereof, whereupon it shall be forwarded to the Pennsylvania
18 Historical and Museum Commission for preservation in the
19 Commonwealth archives. The other copy shall be transmitted
20 immediately to the Department of ~~Property and Supplies~~, GENERAL <—
21 SERVICES, or to a printer designated by it, for publication as
22 provided in this subchapter.

23 (c) Effect of failure to file.--Every agency, the
24 Administrative Office of Pennsylvania Courts and the clerk or
25 prothonotary of the Supreme Court shall cause to be transmitted
26 to the bureau for deposit as herein provided 2 certified
27 duplicate original copies of all documents issued, prescribed or
28 promulgated by the agency or the unified judicial system which
29 are required by this subchapter to be deposited or published, or
30 both; in default of which any such document, except a document

1 subject to 2 Pa.C.S. § 308 (relating to unfiled administrative
2 regulations invalid), shall be effective only to the extent
3 provided in section 903 of this title (relating to effective
4 date of documents). If an agency and the bureau disagree
5 concerning the form or format of a document required or
6 authorized to be deposited with the bureau, the agency may refer
7 the matter to the joint committee, which shall resolve the
8 conflict pursuant to the standards and procedures provided by
9 section 723 of this title (relating to processing of deposited
10 documents).

11 (d) Home rule charter documents and optional plans of
12 government.--

13 (1) The clerk of the city council of any city of the
14 first class shall cause a certified copy of the full text of
15 any home rule charter or amendment or repeal as approved by
16 the electors to be filed in the Department of Community
17 Affairs (and in the office of the secretary of the board of
18 public education, in the case of a charter provision
19 affecting the school district of the city) immediately
20 following the final certification of the return of the votes
21 cast on the question of the adoption, amendment or repeal of
22 a home rule charter.

23 ~~(2) The clerk or secretary of any other political~~ <—
24 ~~subdivision authorized to adopt a home rule charter or~~
25 ~~optional plan of government shall file the documents relating~~
26 ~~thereto in the Department of Community Affairs and in other~~
27 ~~public offices as provided by the Home Rule Charter and~~
28 ~~Optional Plans Law.~~

29 (2) IN THE CASE OF ANY OTHER POLITICAL SUBDIVISION <—
30 AUTHORIZED TO ADOPT A HOME RULE CHARTER OR OPTIONAL PLAN OF

1 GOVERNMENT, THE COUNTY BOARD OF ELECTIONS SHALL FILE THE
2 DOCUMENTS RELATING THERETO IN THE DEPARTMENT OF COMMUNITY
3 AFFAIRS AND IN OTHER PUBLIC OFFICES AS PROVIDED BY THE ACT OF
4 APRIL 13, 1972 (P.L.184, NO.62), KNOWN AS THE "HOME RULE CHARTER
5 AND OPTIONAL PLANS LAW."

6 (3) The Department of Community Affairs shall, within 10
7 days after receipt of any home rule charter or amendment or
8 repeal or any optional plan of government as approved by the
9 electors of any part of this Commonwealth, certify 2
10 duplicate original copies of the full text thereof and
11 deposit such certified copies with the Legislative Reference
12 Bureau.

13 § 723. Processing of deposited documents.

14 (a) Review of deposited text.--The bureau, or a qualified
15 contractor selected by the bureau with the approval of the joint
16 committee, may review any or all documents deposited with the
17 bureau before they are released for publication, and may prepare
18 in active cooperation with an agency a revised text of any
19 document relating to the administrative regulations of the
20 agency which conforms fully to the format established for the
21 code, which eliminates all obsolete, unnecessary or unauthorized
22 material, which has been prepared in such a manner as to lend to
23 the published code as a whole uniformity of style and clarity of
24 expression, and which does not effect any change in the
25 substance of the deposited text of such regulations. Whenever
26 any such revised text with respect to each agency is prepared,
27 two duplicate original copies thereof, with proof of service of
28 a third copy thereof upon the executive officer, chairman or
29 secretary of such agency, shall be filed by the bureau with the
30 joint committee, and shall immediately be made available by the

1 bureau for public inspection and copying.

2 (b) Status of revised text.--Such revised text shall become
3 the agency text of such regulations for the purposes of this
4 part 10 days after such filing unless, within such 10-day
5 period, the agency shall file with the joint committee written
6 objections to such revised text. In that event, the joint
7 committee shall consult with the agency, shall make such
8 alterations, if any, in such revised text as may be necessary in
9 order to retain the substance of the deposited text of such
10 regulations in a manner consistent with the standards of the
11 code, and shall by order prescribe the text of such regulations
12 which shall become the agency text thereof for the purposes of
13 this part.

14 ~~(c) Judicial review. A decision of the joint committee~~ <—
15 ~~under this section shall be final and shall not be subject to~~
16 ~~any form of judicial review at the instance of an executive~~
17 ~~agency and the General Assembly hereby waives any right to~~
18 ~~appeal which the executive agency might otherwise enjoy under~~
19 ~~the Constitution of Pennsylvania or otherwise. Orders of the~~
20 ~~joint committee under this section shall be subject to judicial~~
21 ~~review in the manner and within the time provided or prescribed~~
22 ~~by law by:~~

23 ~~(1) Any party before an agency supporting the~~
24 ~~regulations or changes therein.~~

25 ~~(2) Any agency except an executive agency.~~

26 § 724. Preliminary publication in Pennsylvania Bulletin.

27 (a) General rule.--Except as provided in subsection (c), all
28 documents required or authorized by section 702 (relating to
29 contents of Pennsylvania Code) to be codified in the code, and
30 all other documents required or authorized by section 725

1 (relating to additional contents of Pennsylvania Bulletin) to be
2 published, shall be published in the first available issue of an
3 official gazette, known as the "Pennsylvania Bulletin," printed
4 after the filing of such documents by the Legislative Reference
5 Bureau.

6 (b) Frequency and format of bulletin.--The bulletin shall be
7 published at least once each week and shall contain all
8 previously unpublished documents duly filed prior to the closing
9 date and hour of the issue, which date and hour shall appear
10 upon the first page of such issue. All issues of the bulletin
11 shall contain a table of contents. A cumulative index shall be
12 published at least once each 3 months. The joint committee may
13 provide for more frequent publication of the bulletin and
14 indices as circumstances may require. There shall be printed
15 with each document a notation of the date of filing thereof.

16 (c) Official synopsis.--The joint committee may provide for
17 the publication of an official synopsis of a document in the
18 bulletin in lieu of the full text thereof in any case where the
19 full text of such document will be published pursuant to section
20 726 (relating to permanent supplements to Pennsylvania Code)
21 within 120 days of the publication of such official synopsis.

22 § 725. Additional contents of Pennsylvania Bulletin.

23 (a) General rule.--Except as otherwise provided by
24 regulations promulgated by the joint committee the following
25 documents, if not otherwise required to be published by this
26 part, shall be published in the bulletin:

27 (1) All proclamations and executive orders of the
28 Governor, except such as have no general applicability and
29 legal effect or are effective only against Commonwealth
30 agencies or persons in their capacity as officers, agents or

1 employees thereof.

2 (2) All agency notices directed to the public with
3 respect to proceedings conducted under any statute the
4 expense of the administration of which is by law assessed
5 directly against the class of persons regulated or supervised
6 thereunder.

7 (3) All agency documents which are required by law to be
8 published, or the expense of publication of which is
9 specially assumed by the agency filing such document.

10 (4) Any legislative document filed with the Legislative
11 Reference Bureau pursuant to a resolution adopted by either
12 House of the General Assembly.

13 (5) Any judicial document filed with the Legislative
14 Reference Bureau by the Administrative Office of Pennsylvania
15 Courts.

16 (6) Any other document or class of documents which the
17 Governor, the joint committee or the Director of the
18 Legislative Reference Bureau may require or authorize to be
19 published in the bulletin.

20 (b) Power to require publication of certain documents in the
21 bulletin.--Whenever the joint committee finds, after notice to
22 the agency affected and opportunity for hearing, that public
23 notice of any agency action or proceeding or class of actions or
24 proceedings is required by due process of law, or in the
25 discretion of the joint committee should otherwise be given for
26 the information of the public, the joint committee may by
27 regulation require the agency to prepare and deposit under this
28 part notice of each such action or proceeding at such time and
29 containing in each case such information as the regulations of
30 the joint committee may require. If an agency fails to deposit a

1 notice required pursuant to this subsection the action of the
2 agency or the results of the proceeding shall not be valid for
3 any purpose.

4 § 726. Permanent supplements to Pennsylvania Code.

5 (a) General rule.--At least once each year all documents
6 required or authorized pursuant to section 702 (relating to
7 contents of Pennsylvania Code) to be codified in the code which
8 have been filed with the bureau pursuant to this part shall be
9 permanently integrated into the code by the publication of
10 looseleaf pages or pocket parts for or other appropriate
11 permanent supplements to or reissues of the code as published
12 pursuant to section 721 (relating to publication of official
13 codification). The index to the code shall be similarly
14 supplemented or reissued.

15 (b) Annotations.--The Legislative Reference Bureau may
16 prepare, or may secure by contract, and incorporate into the
17 permanent supplements to the code annotations of judicial
18 decisions relating to any class of documents published in the
19 code.

20 § 727. Matter not required to be published.

21 Except as otherwise provided by regulations promulgated by
22 the joint committee, whenever a document incorporates by
23 reference any portion of the text of any of the following
24 publications the Legislative Reference Bureau, unless the agency
25 specifies otherwise in its order adopting the document, shall
26 omit the text of such incorporated material from the text of the
27 document as published in the code, the permanent supplements
28 thereto, and the bulletin:

29 (1) Statutes at Large.

30 (2) United States Code.

1 (3) Laws of Pennsylvania.

2 (4) Pennsylvania Consolidated Statutes.

3 (5) Code of Federal Regulations.

4 (6) Federal Register.

5 (7) Any uniform system of accounts published by the
6 National Association of Regulatory Utility Commissioners.

7 (8) Any generally available standard published by any of
8 the standardizing organizations listed in United States
9 Department of Commerce Miscellaneous Publication 288, issued
10 August 1, 1967, or supplements thereto or reissues thereof.

11 (9) Any other generally available publication approved
12 by the bureau.

13 § 728. Matter not permitted to be published.

14 Notwithstanding any other provision of this part no press
15 release, speech, or other unofficial comments or news material
16 shall be published in the code, the permanent supplements
17 thereto, or in the bulletin. ~~Any person depositing any document~~ <—
18 ~~or thing for publication in violation of this section shall pay~~
19 ~~to the Commonwealth treble the cost of such publication together~~
20 ~~with costs and reasonable attorney's fees, which penalty may be~~
21 ~~enforced by an action brought by any resident of this~~
22 ~~Commonwealth.~~

23 § 729. Publication of individual documents.

24 (a) General rule.--The code and the permanent supplements
25 thereto shall be published pursuant to typographical and
26 contractual arrangements which shall ensure to every agency and
27 the unified judicial system an opportunity to procure at
28 reasonable cost individually printed pamphlet copies of the
29 regulations, statements of policy, general rules and rules of
30 court of such agency or the unified judicial system published by

1 authority of this part.

2 (b) Approval required for special format.--No administrative
3 regulation, statement of policy, general rule or rule of court
4 published in the code or the permanent supplement thereto shall
5 be reset or otherwise reprinted at public expense upon a format
6 distinct from that of the code without a certification by the
7 joint committee that such special format is necessary for the
8 effective performance by the agency or the unified judicial
9 system of its functions.

10 § 730. Pricing and distribution of published documents.

11 The prices to be charged for individual copies of and
12 subscriptions to the code, the permanent supplements thereto and
13 the bulletin, for reprints and bound volumes thereof and for
14 pamphlet regulations, statements of policy, general rules and
15 rules of court, which prices may be fixed without reference to
16 the restrictions placed upon and fixed for the sale of other
17 publications of the Commonwealth, and the number of copies which
18 shall be distributed free for official use, shall be set by
19 regulations promulgated by the joint committee. Without limiting
20 the generality of the foregoing, such regulations may provide
21 for volume discounts available to established law book
22 publishers who agree to incorporate fully the code, the
23 permanent supplements thereto and the bulletin into their
24 general scheme of promotion and distribution and may provide for
25 the free reciprocal exchange of publications between this
26 Commonwealth and other states and foreign jurisdictions and for
27 the free distribution upon request of at least 1 copy of every
28 publication printed under authority of this part to each:

29 (1) County for the use of its law library.

30 (2) Member of the General Assembly at the post office

1 address specified by him.

2 (3) Law school library which pursuant to rules of court
3 receives copies of reproduced briefs and records filed in the
4 Supreme Court of Pennsylvania.

5 § 731. Automatic subscriptions.

6 Except as otherwise provided by regulations promulgated by
7 the joint committee, whenever the Pennsylvania Public Utility
8 Commission, the Department of Banking, the Insurance Department
9 or any other agency assesses, pursuant to authority expressly
10 conferred by law, the cost or any substantial part thereof of
11 the regulation or supervision of any class of persons directly
12 against such class of persons, such agency shall purchase from
13 the Department of ~~Property and Supplies~~ GENERAL SERVICES in the <—
14 name of each such person:

15 (1) a subscription to the bulletin; and

16 (2) a subscription to the title or part thereof of the
17 code and the permanent supplements thereto relating to the
18 regulation or supervision of such class of persons;

19 and shall include in its assessment bills issued to each such
20 class of persons the estimated cost (notwithstanding any other
21 provision of law requiring such assessment to be retrospective)
22 and the net unrecovered cost attributable to any preceding
23 period, of complying with this section.

24 § 732. Required contractual arrangements.

25 (a) General rule.--Except as otherwise provided by statute
26 finally enacted after July 1, 1969 applicable to public printing
27 and binding generally:

28 (1) the code;

29 (2) the permanent supplements thereto published pursuant
30 to section 726 (relating to permanent supplements to

Pennsylvania Code);

(3) pamphlet copies of regulations, statements of policy, general rules and rules of court published pursuant to section 729 (relating to publication of individual documents); and

(4) the bulletin (unless the application of this section to the bulletin is found to be impracticable by the joint committee after notice in the bulletin and opportunity for hearing) published pursuant to section 724 (relating to preliminary publication in Pennsylvania Bulletin) and section 725 (relating to additional contents of Pennsylvania Bulletin);

shall be printed or reproduced under contract with a contractor unaffiliated with the Commonwealth.

(b) Competitive bidding.--Every such contract shall be given, after reasonable public invitation for proposals, to the lowest responsible bidder below such maximum price and under such regulations as shall be prescribed by the joint committee.

(c) Conflict of interest.--No officer or employee of the Commonwealth shall be in any way interested in any purchase made by the Commonwealth under any such contract or otherwise.

(d) Definitions.--For the purposes of this section the terms "printed" or "reproduced" shall not include mimeographed, multilithed or reproduced by any similar in-house process or produced by computer.

CHAPTER 9

EFFECTIVENESS OF DOCUMENTS

Sec.

901. Official text of published documents.

902. Certification of official text.

1 903. Effective date of documents.

2 904. Constructive notice.

3 905. Presumptions created.

4 906. Reasonable notice of hearing.

5 907. Additional notice unnecessary.

6 § 901. Official text of published documents.

7 (a) General rule.--The official text, as published as
8 provided in Subchapter B of Chapter 7 (relating to publication
9 of documents), of any document required or authorized to be
10 published in the code, the permanent supplements thereto, or the
11 bulletin, shall from the date of such publication be the only
12 valid and enforceable text of such document regardless of any
13 discrepancy between such official text and the agency text of
14 such document. Thereafter any amendment to such document shall
15 be drawn as an amendment to the official text thereof. If an
16 agency discovers a discrepancy between the agency text and the
17 official text of a document, the agency shall forthwith deposit,
18 without regard to the requirements of 2 Pa.C.S. § 301 (relating
19 to notice of proposed rule making) and 2 Pa.C.S. § 302 (relating
20 to adoption of administrative regulations) with the Legislative
21 Reference Bureau an appropriate corrective amendment to the
22 official text, and the agency may specify that such amendment
23 shall be effective as of the effective date of the defective
24 official text, but only persons who have had actual knowledge of
25 the discrepancy shall be affected by such amendment prior to the
26 publication of the official text thereof in the manner
27 prescribed in this part. The purpose of this section is to
28 permit the public to rely absolutely upon the correctness of the
29 text of a regulation, statement of policy or other document as
30 published in the code, the supplements thereto, or the bulletin

1 by declaring such published text to be the only legal evidence
2 of the valid and enforceable text of such regulation, statement
3 of policy or other document.

4 (b) Home rule charter documents and optional plans of
5 government.--Notwithstanding subsection (a), the text of any
6 home rule charter amendment or repeal or any optional plan of
7 government, as published as provided in Subchapter B of Chapter
8 7 (relating to publication of documents), shall from the date of
9 such publication be prima facie evidence of the text of the home
10 rule charter, amendment or repeal, or of the plan of government
11 approved by the electors.

12 § 902. Certification of official text.

13 Each title or part of the code and each permanent supplement
14 thereto shall contain a certificate by the Director of the
15 Legislative Reference Bureau that such title or part or
16 permanent supplement thereto contains all documents required
17 pursuant to section 702 (relating to contents of Pennsylvania
18 Code) to be codified therein ~~issued, prescribed or promulgated~~ <—
19 OFFICIALLY FILED FOR PUBLIC INSPECTION prior to the closing date <—
20 of such permanent supplement, by the government unit or units to
21 which such title or part relates, which certificate shall be
22 conclusive evidence of such fact in the case of documents
23 issued, prescribed or promulgated by an agency. If an agency
24 discovers an omission in such title or part, such omission shall
25 be governed by the provisions of section 901 (relating to
26 official text of published documents).

27 § 903. Effective date of documents.

28 (a) General rule.--No document, except a document which is
29 excluded from the operation of this subsection by subsection
30 (b), which is required to be published under this part, shall be

1 valid as against any person who has not had actual knowledge
2 thereof until such publication has been effected. Publication
3 shall be deemed to have been effected upon the deposit of the
4 bulletin or the permanent supplement to the code containing such
5 document in the United States mail for distribution. The issue
6 date of the bulletin and of the permanent supplement to the code
7 shall be the day of such deposit, and, in the case of the
8 bulletin, such date shall be printed prominently upon the first
9 page of each issue thereof.

10 (b) Certain judicial documents.--Judicial documents
11 (including general rules) which are not adopted pursuant to
12 statutory authority shall be effective as provided by general
13 rule. General rules and other judicial documents which are
14 adopted pursuant to statutory authority shall be fully subject
15 to subsection (a).

16 § 904. Constructive notice.

17 Unless otherwise specifically provided by statute other than
18 a provision of this title, the publication under this part of
19 any document required or authorized by this part to be so
20 published shall, except in cases where notice by publication is
21 insufficient in law, be sufficient to give notice of the
22 contents of such document to any person subject thereto or
23 affected thereby.

24 § 905. Presumptions created.

25 The publication in the code, the permanent supplements
26 thereto, or the bulletin of any document shall create a
27 rebuttable presumption:

28 (1) That it was duly issued, prescribed or promulgated.

29 (2) That it was approved as to legality, if so required
30 by 2 Pa.C.S. § 305 (relating to approval as to legality) by

1 the Department of Justice.

2 (3) That all requirements of Subchapter A of Chapter 3
3 of Title 2 (relating to regulations of Commonwealth agencies)
4 and of this part and the regulations promulgated thereunder
5 applicable to such document have been complied with.

6 § 906. Reasonable notice of hearing.

7 Whenever notice of hearing or of opportunity to be heard is
8 required or authorized to be given by the Commonwealth
9 government by or under any statute, or may otherwise properly be
10 given, the notice, except in cases where notice by publication
11 is insufficient in law, shall be deemed to have been given to
12 all persons residing within this Commonwealth, and to all
13 persons owning or having any interest in any property situated
14 within the limits thereof, if said notice shall be published in
15 the bulletin at such time that the period between the date of
16 publication as specified in section 903(a) (relating to
17 effective date of documents) and the date fixed in such notice
18 for the hearing or for the termination of the opportunity to be
19 heard shall be:

20 (1) not less than the time specified for the publication
21 of the notice by the appropriate statute; or

22 (2) not less than 15 days when no time for publication
23 is specified by statute, without prejudice, however, to the
24 effectiveness of any notice of less than 15 days where such
25 shorter period is reasonable.

26 § 907. Additional notice unnecessary.

27 (a) General rule.--Except with respect to the time specified
28 for the publication of notice, the publication by the
29 Commonwealth government of any notice in the manner provided by
30 this part shall constitute full compliance with law

1 notwithstanding any inconsistent provision of any statute.

2 (b) Additional notice if not prohibited.--Nothing in this
3 part shall prohibit the Commonwealth government from giving
4 notice in such manner, or if notice has been given in the manner
5 prescribed by this part, in such supplemental manner, as is not
6 inconsistent with regulations promulgated by the joint committee
7 with respect to Commonwealth agencies.

8 Section 2. Section 1991 of Title 1, added December 6, 1972
9 (P.L.1339, No.290), is amended by adding a definition to read:
10 § 1991. Definitions.

11 The following words and phrases, when used in any statute
12 finally enacted on or after September 1, 1937, unless the
13 context clearly indicates otherwise, shall have the meanings
14 ascribed to them in this section:

15 * * *

16 "Registered mail." When used in any statute finally enacted
17 before or after September 1, 1937, includes certified mail.

18 * * *

19 SECTION 3. (A) OFFICIAL DOCUMENTS, RECORDS AND PAPERS KEPT
20 BY THE LEGISLATIVE REFERENCE BUREAU PURSUANT TO ANY REQUIREMENT
21 OF LAW, OR ANY ENTRIES THEREIN, WHEN ADMISSIBLE IN EVIDENCE FOR
22 ANY PURPOSE, MAY BE EVIDENCED BY THE OFFICIAL PUBLICATION
23 THEREOF OR BY COPIES WHICH HAVE BEEN DULY CERTIFIED BY THE
24 DIRECTOR OR THE ASSISTANT DIRECTOR OF THE BUREAU.

25 (B) A WRITTEN STATEMENT THAT, AFTER EXAMINATION OF THE
26 DOCUMENTS, RECORDS AND PAPERS OF THE BUREAU, NO RECORD OR ENTRY
27 OF A SPECIFIED TENOR IS FOUND TO EXIST, AUTHENTICATED AS
28 PROVIDED IN SUBSECTION (A), IS ADMISSIBLE AS EVIDENCE THAT THE
29 DOCUMENTS, RECORDS AND PAPERS CONTAIN NO SUCH RECORD OR ENTRY.

30 (C) IT SHALL BE THE DUTY OF THE DIRECTOR OR ASSISTANT

1 DIRECTOR OF THE BUREAU, UPON RECEIPT OR ACCEPTABLE PROVISION FOR
2 PAYMENT OF THE FEES ESTABLISHED THEREFOR, TO CAUSE A COPY OF THE
3 DOCUMENT, RECORD OR PAPER, OR A STATEMENT THAT NO SUCH RECORD OR <—
4 ENTRY IS FOUND TO EXIST, TO BE MADE AND AUTHENTICATED AS
5 PROVIDED IN SUBSECTION (A) AND TO DELIVER SUCH COPY OR STATEMENT <—
6 TO ANY PERSON ENTITLED THERETO.

7 (D) A COPY OF A RECORD OF FILING OR PUBLICATION OF A
8 DOCUMENT OR THE ABSENCE OF FILING OR PUBLICATION OF A DOCUMENT,
9 AUTHENTICATED AS PROVIDED IN SUBSECTION (A), SHALL BE ADMISSIBLE
10 AS EVIDENCE THAT THE FILING OR PUBLICATION OF A DOCUMENT OR
11 ABSENCE OF FILING OR PUBLICATION OF A DOCUMENT DISCLOSED THEREIN
12 WAS IN FACT TAKEN OR OMITTED.

13 (E) UNLESS DIRECTED OTHERWISE BY THE COURT OR THE PRESIDING
14 OFFICER OF THE GOVERNMENT AGENCY, WHICHEVER IS APPLICABLE,
15 DELIVERY TO THE COURT OR AGENCY OF A CERTIFICATION ISSUED UNDER
16 THIS SECTION SHALL CONSTITUTE SUFFICIENT COMPLIANCE WITH A
17 SUBPOENA DIRECTING AN OFFICER OR EMPLOYEE OF THE BUREAU TO
18 APPEAR FOR THE PURPOSE OF PRESENTING TESTIMONY OR PRODUCING
19 DOCUMENTS RELATING TO MATTERS SET FORTH IN THE CERTIFICATION OR
20 ACCOMPANYING DOCUMENTS.

21 (F) WHENEVER A CERTIFICATION IS ISSUED BY THE BUREAU <—
22 PURSUANT TO THE PROVISIONS OF THIS SECTION, THE BUREAU SHALL
23 CHARGE A REASONABLE FEE FOR SUCH CERTIFICATION. THE DIRECTOR OF
24 THE BUREAU SHALL DETERMINE AND ESTABLISH BY REGULATION THE
25 AMOUNT OF THE CERTIFICATION FEE.

26 SECTION 4. PENDING CODIFICATION OF TITLE 2 OF THE
27 PENNSYLVANIA CONSOLIDATED STATUTES (RELATING TO ADMINISTRATIVE
28 LAW AND PROCEDURE) A REFERENCE IN TITLE 45 OF THE PENNSYLVANIA
29 CONSOLIDATED STATUTES TO "SUBCHAPTER A OF CHAPTER 3 OF TITLE 2
30 (RELATING TO REGULATIONS OF COMMONWEALTH AGENCIES)" SHALL BE

1 DEEMED A REFERENCE TO SECTIONS 102 AND 201 THROUGH 208 OF THE
2 ACT OF JULY 31, 1968 (P.L.769, NO.240), KNOWN AS THE
3 "COMMONWEALTH DOCUMENTS LAW," AND A REFERENCE TO "2 PA.C.S. §
4 301 (RELATING TO NOTICE OF PROPOSED RULE MAKING)," "2 PA.C.S. §
5 302 (RELATING TO ADOPTION OF ADMINISTRATIVE REGULATIONS)," "2
6 PA.C.S. § 305 (RELATING TO APPROVAL AS TO LEGALITY)," "2 PA.C.S.
7 § 306 (RELATING TO FORMAT OF REGULATIONS)," OR "2 PA.C.S. § 308
8 (RELATING TO UNFILED ADMINISTRATIVE REGULATIONS INVALID)" SHALL
9 BE DEEMED TO BE A REFERENCE TO SECTIONS 201, 202, 205, 206, OR
10 208 OF SAID ACT, RESPECTIVELY. ~~AS MUCH OF 45 PA.C.S. § 502(D)~~ <—
11 ~~(RELATING TO POWERS AND DUTIES) AS RELATES TO "2 PA.C.S. §~~
12 ~~102(B) (RELATING TO UNIFORM RULES)" SHALL NOT TAKE EFFECT UNLESS~~
13 ~~AND UNTIL THE ENACTMENT AS SECTION 102(B) OF TITLE 2 OF THE~~
14 ~~PENNSYLVANIA CONSOLIDATED STATUTES OF LEGISLATION ON UNIFORM~~
15 ~~RULES. IF THE OFFICE OF ATTORNEY GENERAL OF PENNSYLVANIA SHALL~~
16 ~~BECOME AN ELECTIVE OFFICE THE REFERENCES IN 45 PA.C.S. § 502~~
17 ~~(RELATING TO JOINT COMMITTEE ON DOCUMENTS) TO THE "ATTORNEY~~
18 ~~GENERAL" SHALL THEREAFTER BE DEEMED TO BE REFERENCES TO THE HEAD~~
19 ~~OF AN ADMINISTRATIVE DEPARTMENT SUBJECT TO THE POLICY~~
20 ~~SUPERVISION AND CONTROL OF THE GOVERNOR WHICH IS DESIGNATED FOR~~
21 ~~SUCH PURPOSES BY EXECUTIVE ORDER OF THE GOVERNOR.~~

22 SECTION 5. WHERE OFFICIAL AND LEGAL ADVERTISING IS REQUIRED <—
23 OF A THIRD CLASS CITY LOCATED IN TWO COUNTIES, SUCH ADVERTISING
24 SHALL BE BINDING AND EFFECTIVE IF DONE IN THE NEWSPAPERS OF
25 GENERAL CIRCULATION, OFFICIAL NEWSPAPERS AND LEGAL NEWSPAPERS,
26 AS DEFINED IN TITLE 45 OF THE PENNSYLVANIA CONSOLIDATED STATUTES
27 (RELATING TO LEGAL NOTICES), PUBLISHED IN THE COUNTY WHERE SUCH
28 CITY WAS INCORPORATED.

29 SECTION 6. NOTWITHSTANDING 45 PA.C.S. § 723(B) (RELATING TO
30 STATUS OF REVISED TEXT) AN AGENCY MAY FILE WRITTEN OBJECTIONS

1 WITH THE JOINT COMMITTEE WITHIN 60 DAYS AFTER RECEIVING THE
2 REVISED TEXT OF ANY REGULATIONS NOT PREVIOUSLY PUBLISHED IN THE
3 PENNSYLVANIA CODE WHICH WERE FILED IN THE LEGISLATIVE REFERENCE
4 BUREAU PRIOR TO THE ENACTMENT OF THIS ACT.

5 Section ~~3-5~~. 7. The following acts and parts of acts are <—
6 hereby repealed absolutely:

7 Section 2, act of May 6, 1874 (P.L.124, No.58), entitled "An
8 act to regulate the manner of advertising for the state, and the
9 issuing of warrants therefor."

10 Section 1, act of May 3, 1909 (P.L.424, No.237), entitled, as
11 amended, "An act providing that in all counties, advertisements
12 and notices, required by law or rules of court to be published
13 in newspapers of general circulation, unless dispensed with by
14 special order of court, shall be published in the legal
15 newspaper, issued at least weekly, of the proper county,
16 designated by rules of court for the publication of court or
17 other legal notices."

18 Act of May 16, 1929 (P.L.1784, No.587), known as the
19 "Newspaper Advertising Act."

20 Section 1, act of June 22, 1931 (P.L.845, No.275), entitled
21 "An act authorizing the publication of advertisements for bids
22 for public works, supplies or equipment in certain publications
23 and journals devoted to information about construction work."

24 SECTION 1916, ACT OF JUNE 23, 1931 (P.L.932, NO.317), KNOWN <—
25 AS "THE THIRD CLASS CITY CODE."

26 SECTION 1810, ACT OF JUNE 24, 1931 (P.L.1206, NO.331), KNOWN
27 AS "THE FIRST CLASS TOWNSHIP CODE."

28 SECTION 809, ACT OF MAY 1, 1933 (P.L.103, NO.69), KNOWN AS
29 "THE SECOND CLASS TOWNSHIP CODE."

30 SECTION 512, ACT OF MAY 10, 1949 (P.L.30, NO.14), KNOWN AS

1 THE "PUBLIC SCHOOL CODE OF 1949."

2 Second sentence of section 12, act of April 21, 1949
3 (P.L.665, No.155), known as the "First Class City Home Rule
4 Act."

5 Act of September 8, 1959 (P.L.829, No.323), entitled "An act
6 authorizing the use of certified mail in lieu of registered
7 mail."

8 Second sentence of section 13, act of August 9, 1963
9 (P.L.643, No.341), known as the "First Class City Public
10 Education Home Rule Act."

11 SECTION 1409, ACT OF FEBRUARY 1, 1966 (1965 P.L.1656, <—
12 NO.581), KNOWN AS "THE BOROUGH CODE."

13 Section 101, sections 301 through 601, section 602 (except
14 with respect to the continuing appropriation), sections 603
15 through 611 and, if sections 201 through 208 thereof are
16 repealed absolutely by any other statute, section 102, act of
17 July 31, 1968 (P.L.769, No.240), known as the "Commonwealth
18 Documents Law."

19 Second sentence of section 502, act of July 23, 1970
20 (P.L.563, No.195), known as the "Public Employe Relations Act."

21 Section ~~4-6~~. 8. All other parts of those acts which are <—
22 specified in section 2 of this act and all other acts and parts
23 of acts are hereby repealed in so far as inconsistent with this
24 act.

25 Section ~~5-7~~. 9. This act shall take effect in 60 days. <—

SOURCE NOTES

(Prepared by Pennsylvania Bar Association)

REVISED THROUGH PRINTER'S NO. _____

45 Pa.C.S. § 101: ~~Substantially a reenactment of~~ DERIVED FROM
act of May 16, 1929 (P.L.1784, No.587), § 3 (45 P.S. § 3). THE
REFERENCE TO AGENCIES OF THE GENERAL ASSEMBLY IN THE DEFINITION
OF "COMMONWEALTH AGENCY" IS INTENDED TO REFER TO THE LEGISLATIVE
REFERENCE BUREAU AND SIMILAR AGENCIES, AND IS NOT INTENDED TO
EXCLUDE FROM THE SCOPE OF THE DEFINITION INDEPENDENT REGULATORY
AGENCIES SUCH AS THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.

45 Pa.C.S. § 301: Substantially a reenactment of act of May
16, 1929 (P.L.1784, No.587), § 2 (45 P.S. § 2).

45 Pa.C.S. § 302: Substantially a reenactment of act of May
16, 1929 (P.L.1784, No.587), § 9 (45 P.S. § 9).

45 Pa.C.S. § 303: Substantially a reenactment of act of May
16, 1929 (P.L.1784, No.587), § 5 (45 P.S. § 5).

45 Pa.C.S. § 304: Substantially a reenactment of act of May
16, 1929 (P.L.1784, No.587), § 8 (45 P.S. § 8).

45 Pa.C.S. § 305: Derived from act of May 16, 1929 (P.L.1784,
No.587), § 6 (45 P.S. § 6). Superseding general rules
authorized.

45 Pa.C.S. § 306: Substantially a reenactment of act of June
22, 1931 (P.L.845, No.275), § 1 (45 P.S. § 12), ACT OF JUNE 23,
1931 (P.L.932, NO.317), § 1916 (53 P.S. § 36916), ACT OF JUNE
24, 1931 (P.L.1206, NO.331), § 1810 (53 P.S. § 56810), ACT OF
MAY 1, 1933 (P.L.103, NO.69), § 809 (53 P.S. § 65809), ACT OF
MARCH 10, 1949 (P.L.30, NO.14), § 512 (24 P.S. § 5-512), ACT OF
FEBRUARY 1, 1966 (1965 P.L.1656, NO.581), § 1409 (53 P.S. §
46409).

45 Pa.C.S. § 307: ~~Substantially a reenactment of~~ DERIVED FROM
act of May 16, 1929 (P.L.1784, No.587), § 7 (45 P.S. § 7).

45 Pa.C.S. § 308: Derived from act of May 3, 1909 (P.L.424,
No.237), § 1 (45 P.S. § 39).

45 Pa.C.S. § 309: Substantially a reenactment of act of May
16, 1929 (P.L.1784, No.587), § 7.1 (45 P.S. § 7.1).

45 Pa.C.S. § 310: Substantially a reenactment of act of May
6, 1874 (P.L.124, No.58), § 2 (45 P.S. § 32).

45 Pa.C.S. § 501: Substantially a reenactment of act of July
31, 1968 (P.L.769, No.240), § 102 (45 P.S. § 1102).

45 Pa.C.S. § 502: ~~Derived from~~ SUBSTANTIALLY A REENACTMENT OF
act of July 31, 1968 (P.L.769, No.240), § 608 (45 P.S. § 1608).
~~The joint committee is made an independent board and is expanded
to include Court Administrator of Pennsylvania. The last
sentence of subsection (d) is new.~~

1 45 Pa.C.S. § 503: Substantially a reenactment of act of July
2 31, 1968 (P.L.769, No.240), § 603 (45 P.S. § 1603).

3 45 Pa.C.S. § 504: Substantially a reenactment of act of July
4 31, 1968 (P.L.769, No.240), § 601 (45 P.S. § 1601).

5 45 Pa.C.S. § 505: ~~Derived from~~ SUBSTANTIALLY A REENACTMENT OF <—
6 act of July 31, 1968 (P.L.769, No.240), § 602 (45 P.S. § 1602).
7 ~~Expenses of joint committee transferred to Legislative Reference~~ <—
8 ~~Bureau.~~

9 45 Pa.C.S. § 506: Reenactment of first sentence of act of
10 July 31, 1968 (P.L.769, No.240), § 604 (45 P.S. § 1604).

11 45 Pa.C.S. § 507: Reenactment of second sentence of act of
12 July 31, 1968 (P.L.769, No.240), § 604 (45 P.S. § 1604).

13 45 Pa.C.S. § 508: Substantially a reenactment of act of July
14 31, 1968 (P.L.769, No.240), § 605 (45 P.S. § 1605).

15 45 Pa.C.S. § 509: Derived from act of July 31, 1968 (P.L.769,
16 No.240), § 206 (45 P.S. § 1206).

17 45 Pa.C.S. § 701: Derived from of act of July 31, 1968
18 (P.L.769, No.240), § 301 (45 P.S. § 1301).

19 45 Pa.C.S. § 702: Derived from act of July 31, 1968 (P.L.769,
20 No.240), § 302 (45 P.S. § 1302). ~~Optional plans of government~~ <—
21 ~~added.~~

22 45 Pa.C.S. § 721: Substantially a reenactment of act of July
23 31, 1968 (P.L.769, No.240), § 401 (45 P.S. § 1401).

24 45 Pa.C.S. § 722: Derived from act of July 31, 1968 (P.L.769,
25 No.240), §§ 409 and 414 (first sentence) (45 P.S. §§ 1409 and
26 1414), and Pa. R.J.A. No.103).

27 45 Pa.C.S. § 723: Derived from act of July 31, 1968 (P.L.769,
28 No.240), § 403 (45 P.S. § 1403). Agency comment period reduced
29 from 60 days to 10 days.

30 45 Pa.C.S. § 724: Derived from act of July 31, 1968 (P.L.769,
31 No.240), § 404 (45 P.S. § 1404). Synopsis period increased from
32 90 to 120 days.

33 45 Pa.C.S. § 725: Substantially a reenactment of act of July
34 31, 1968 (P.L.769, No.240), § 405 (45 P.S. § 1405).

35 45 Pa.C.S. § 726: Substantially a reenactment of act of July
36 31, 1968 (P.L.769, No.240), § 406 (45 P.S. § 1406).

37 45 Pa.C.S. § 727: Substantially a reenactment of act of July
38 31, 1968 (P.L.769, No.240), § 407 (45 P.S. § 1407).

39 45 Pa.C.S. § 728: ~~Substantially a reenactment of~~ DERIVED FROM <—
40 act of July 31, 1968 (P.L.769, No.240), § 408 (45 P.S. § 1408).
41 THE PROVISION FOR TREBEL DAMAGES AND COSTS HAS BEEN OMITTED. <—

42 45 Pa.C.S. § 729: Substantially a reenactment of act of July

1 31, 1968 (P.L.769, No.240), § 410 (45 P.S. § 1410).

2 45 Pa.C.S. § 730: Reenactment of act of July 31, 1968
3 (P.L.769, No.240), § 411 (45 P.S. § 1411).

4 45 Pa.C.S. § 731: Substantially a reenactment of act of July
5 31, 1968 (P.L.769, No.240), § 412 (45 P.S. § 1412).

6 45 Pa.C.S. § 732: Substantially a reenactment of act of July
7 31, 1968 (P.L.769, No.240), § 413 (45 P.S. § 1413).

8 45 Pa.C.S. § 901: Derived from act of July 31, 1968 (P.L.769,
9 No.240), §§ 414 (last sentence) and 501 (45 P.S. §§ 1414 and
10 1501).

11 45 Pa.C.S. § 902: Derived from act of July 31, 1968 (P.L.769,
12 No.240), § 502 (45 P.S. § 1502).

13 45 Pa.C.S. § 903: Derived from act of July 31, 1968 (P.L.769,
14 No.240), §§ 503 and 607 (45 P.S. §§ 1503 and 1607). Subsection
15 (b) new.

16 45 Pa.C.S. § 904: Derived from act of July 31, 1968 (P.L.769,
17 No.240), § 504 (45 P.S. § 1504).

18 45 Pa.C.S. § 905: Derived from act of July 31, 1968 (P.L.769,
19 No.240), § 505 (45 P.S. § 1505).

20 45 Pa.C.S. § 906: Generalization of act of July 31, 1968
21 (P.L.769, No.240), § 506 (45 P.S. § 1506).

22 45 Pa.C.S. § 907: Derived from act of July 31, 1968 (P.L.769,
23 No.240), § 507 (45 P.S. § 1507).

24 Section 2: Substantially a reenactment of act of September
25 8, 1959 (P.L.829, No.323), § 1 (45 P.S. § 101).

26 Section 3: ~~New.~~ DERIVED FROM ACT OF JULY 31, 1968 (P.L.769, <—
27 NO.240), § 508 (45 P.S. § 1508), AS ADDED BY H.B.847 (P.N.2582)
28 OF 1975 WHICH BECAME ACT NO.20 OF MARCH 3, 1976.

29 Section 4: New.

30 Section 5: ~~New.~~ DERIVED FROM ACT OF MAY 16, 1929 (P.L.1784, <—
31 NO.587) § 7 (45 P.S. § 7).

32 SECTION 6: ~~NEW.~~ DERIVED FROM ACT OF JULY 31, 1968 (P.L.769, <—
33 NO.240) § 403 (45 P.S. § 1403).

34 SECTION 7: NEW.

35 SECTION 8: NEW.

36 SECTION 9: NEW.