

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 595 Session of
1991INTRODUCED BY STUBAN, GAMBLE, LESCOVITZ AND FOSTER,
MARCH 12, 1991AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JANUARY 28, 1992

AN ACT

1 Amending the act of November 1, 1971 (P.L.495, No.113),
2 entitled, as amended, "An act providing for the compensation
3 of county officers in counties of the second through eighth
4 classes, for compensation of district attorneys in cities and
5 counties of the first class, for the disposition of fees, for
6 filing of bonds in certain cases and for duties of certain
7 officers," FURTHER PROVIDING FOR COMPENSATION OF A FULL-TIME <—
8 DISTRICT ATTORNEY; AND limiting certain salary increases.

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

11 Section 1. Section ~~10.1(e)~~ 5.1(B) of the act of November 1, <—
12 1971 (P.L.495, No.113), entitled, as amended, "An act providing
13 for the compensation of county officers in counties of the
14 second through eighth classes, for compensation of district
15 attorneys in cities and counties of the first class, for the
16 disposition of fees, for filing of bonds in certain cases and
17 for duties of certain officers," reenacted and amended October
18 7, 1976 (P.L.1101, No.223) and ~~amended December 18, 1984~~ <—
19 ~~(P.L.1067, No.212)~~, ADDED OCTOBER 29, 1987 (P.L.373, NO.74), is <—
20 amended to read:

SECTION 5.1. * * *

(B) THE DISTRICT ATTORNEY SHALL DEVOTE FULL TIME TO THE OFFICE. THE DISTRICT ATTORNEY, WHILE IN OFFICE, SHALL NOT DERIVE[, AS A RESULT OF THE NECESSARY LEGAL EDUCATION AND BACKGROUND, ANY OTHER INCOME FROM ANY SOURCE, INCLUDING, BUT NOT LIMITED TO, INCOME DERIVED FROM LEGAL PUBLICATIONS OR OTHER PUBLICATIONS DEALING WITH MATTERS RELATED TO THE OFFICE OF DISTRICT ATTORNEY, LECTURES,] ANY OTHER INCOME AS A RESULT OF HONORARIUMS AND PROFIT SHARES OR DIVISIONS OF INCOME FROM ANY FIRM WITH WHICH THE DISTRICT ATTORNEY WAS ASSOCIATED PRIOR TO ELECTION. THIS LIMITATION SHALL NOT BE CONSTRUED, HOWEVER, TO PRECLUDE PAYMENT OF FEES EARNED FOR LEGAL WORK DONE PRIOR TO, BUT NOT CONCLUDED UNTIL AFTER, ELECTION AS DISTRICT ATTORNEY. IN ADDITION, THE DISTRICT ATTORNEY SHALL NOT ENGAGE IN ANY PRIVATE PRACTICE AND MUST BE COMPLETELY DISASSOCIATED FROM ANY FIRM WITH WHICH THE DISTRICT ATTORNEY WAS AFFILIATED PRIOR TO ELECTION. THE DISTRICT ATTORNEY-ELECT MAY NOT ACCEPT ANY CIVIL OR CRIMINAL CASES AFTER BEING ELECTED TO THE OFFICE. FURTHERMORE, THE DISTRICT ATTORNEY SHALL BE SUBJECT TO THE CANONS OF ETHICS AS APPLIED TO JUDGES IN THE COURTS OF COMMON PLEAS OF THIS COMMONWEALTH INSOFAR AS THE CANONS APPLY TO SALARIES, FULL-TIME DUTIES AND CONFLICTS OF INTEREST.

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SECTION 2. SECTION 10.1(E) OF THE ACT, AMENDED DECEMBER 18, 1984 (P.L.1067, NO.212), IS AMENDED TO READ:

Section 10.1. * * *

(e) Any salary increase shall be on a percentage basis and applied equally to all county officials except that the county commissioners may provide a greater percentage salary increase to the lowest paid county official, other than the jury

1 commissioners or county auditor, until his salary is equal to
2 the other county officials except the jury commissioners, county
3 auditors, district attorneys and county commissioners.

4 Percentage salary increases provided for in this subsection
5 shall not apply to part-time district attorneys whose salaries
6 are provided for in section 5 or to district attorneys of cities
7 or counties of the first class whose salaries are provided for
8 in section 5.1.

9 Section 2 3. This act shall take effect immediately.

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