
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2268 Session of
1995

INTRODUCED BY SCHRODER, HESS, DEMPSEY, PETTIT, HERSHEY, TRELLO,
LYNCH, RUBLEY, STERN, STISH, WOGAN, YOUNGBLOOD, E. Z. TAYLOR,
CLARK, MILLER, MERRY AND HENNESSEY, DECEMBER 12, 1995

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, DECEMBER 12, 1995

AN ACT

1 Providing for the modification of fees collected by county row
2 officers for the costs of providing certain products and
3 services.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the County Row
8 Office Fee Modification Act.

9 Section 2. Establishment and modification of fees.

10 In a home rule county or in a county of the second class A,
11 third, fourth, fifth, sixth, seventh or eighth class, county row
12 officers including, but not limited to, prothonotary, clerk of
13 courts, register of wills, clerk of orphans' court, recorder of
14 deeds, sheriff and coroner may establish, increase, modify or
15 eliminate fees and charges with the approval of the president
16 judge. A change in fees shall be approved only upon completion
17 of a cost documentation study prepared by the county controller
18 or, in counties not having a controller, an auditor which

1 verifies the necessity of the change. The fee or charge may
2 reflect the cost of providing any product or service or
3 enforcing any regulation. For purposes of this act, the cost of
4 providing any product or service or the cost of enforcing any
5 regulation for which the fee or charge is levied shall include:

6 (1) The actual cost of any materials or supplies
7 required for printing or otherwise providing for the product,
8 service, regulation or enforcement provided by the county or
9 county row officer.

10 (2) The actual cost of processing the necessary
11 paperwork, forms and related documentation required by law.

12 (3) The indirect costs associated with providing the
13 product or service, including, but not limited to, office
14 space charges, communication and equipment costs, and utility
15 charges.

16 Section 3. Additional fee authorized.

17 Notwithstanding the modification of row office fees pursuant
18 to section 2, row officers included under this act may charge
19 and collect an additional fee of \$1 for each initial filing,
20 each recording and each request to the sheriff's office or
21 coroner's office for a service or document. If charged and
22 collected, the additional \$1 fee shall be deposited into a
23 special fund for computer and technological advancement
24 established in each row office included in this act. Moneys in
25 this special fund shall be used solely for the purpose of
26 computerizing the office and making other advancements in
27 technology.

28 Section 4. Records to be kept by county row officers.

29 Each county row officer shall keep records and accounts of
30 fees collected as a result of duties and responsibilities

1 prescribed for the row office. In counties where one person is
2 elected to fulfill the responsibilities of two or more county
3 row offices, separate records and accounts shall be maintained
4 for each row office held.

5 Section 5. Construction of act.

6 This act shall not be construed as granting authority to levy
7 any fee or charge which is not otherwise authorized by law, nor
8 shall its provisions be construed as granting authority to levy
9 a new fee or charge when other provisions of law specifically
10 prohibit the levy of a fee or charge.

11 Section 6. Repeals.

12 All acts and parts of acts are repealed insofar as they are
13 inconsistent with this act.

14 Section 7. Effective date.

15 This act shall take effect in 60 days.