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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 97

Session of  
1997

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INTRODUCED BY HOLL, JANUARY 21, 1997

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REFERRED TO JUDICIARY, JANUARY 21, 1997

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 appeals from government agencies; and making editorial  
4 changes.

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

7 Section 1. Section 933(a) of Title 42 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 933. Appeals from government agencies.

10 (a) General rule.--Except as otherwise prescribed by any  
11 general rule adopted pursuant to section 503 (relating to  
12 reassignment of matters), each court of common pleas shall have  
13 jurisdiction of appeals from final orders of government agencies  
14 in the following cases:

15 (1) Appeals from Commonwealth agencies in the following  
16 cases:

17 (i) Determinations of the Department of Health in  
18 connection with any matters concerning birth records.

1 Except as prescribed by general rules, the venue of such  
2 matters shall be as provided in 20 Pa.C.S. § 711(9)  
3 (relating to birth records) and 20 Pa.C.S. § 713  
4 (relating to special provisions for Philadelphia County).

5 (ii) Determinations of the Department of  
6 Transportation appealable under the following provisions  
7 of Title 75 (relating to vehicles):

8 Section 1377 (relating to judicial review [of  
9 denial or suspension of registration]).

10 Section 1550 (relating to judicial review).

11 Section 4724(b) (relating to judicial review).

12 Section 7303(b) (relating to judicial review).

13 Section 7503(b) (relating to judicial review).

14 Except as otherwise prescribed by general rules, the  
15 venue shall be in the county of the principal place of  
16 business of any salvor or messenger service, the location  
17 of any inspection station involved, the county where the  
18 arrest for a violation of 75 Pa.C.S. § 3731 (relating to  
19 driving under influence of alcohol or controlled  
20 substance) was made in appeals involving the suspension  
21 of operating privileges under 75 Pa.C.S. § 1547 (relating  
22 to chemical testing to determine amount of alcohol or  
23 controlled substance) or the residence of any individual  
24 appellant where the venue is not otherwise fixed by this  
25 sentence. In the case of a nonresident individual venue,  
26 except as otherwise prescribed by general rules, shall be  
27 in the county in which the offense giving rise to the  
28 recall, cancellation, suspension or revocation of  
29 operating privileges occurred.

30 (iii) Determinations of the Secretary of the

1 Commonwealth appealable under the act of June 3, 1937  
2 (P.L.1333, No.320), known as the ["]Pennsylvania Election  
3 Code,["] except matters involving Statewide office.

4 Except as otherwise prescribed by general rules, the  
5 venue of such matters shall be as provided in the act.

6 (iv) Determinations of the [Workmen's] Workers'  
7 Compensation Appeal Board appealable under the act of  
8 June 21, 1939 (P.L.566, No.284), known as ["]The  
9 Pennsylvania Occupational Disease Act.["] Except as  
10 otherwise prescribed by general rules, the venue of such  
11 matters shall be as provided in section 427 of the act.

12 (v) Determinations of the Pennsylvania Liquor  
13 Control Board appealable under the act of April 12, 1951  
14 (P.L.90, No.21), known as the ["]Liquor Code,["] except  
15 matters appealable under section 433, 444 or 710 of the  
16 act. Except as otherwise prescribed by general rules, the  
17 venue of such matters shall be as provided in the act.

18 (vi) Determinations of the Department of Revenue  
19 reviewable under [the act of June 15, 1961 (P.L.373,  
20 No.207), known as the "Inheritance and Estate Tax Act of  
21 1961,"] Article XXI of the act of March 4, 1971 (P.L.6,  
22 No.2), known as the Tax Reform Code of 1971 or under any  
23 predecessor statute, in connection with the  
24 administration of the estate of a decedent. Except as  
25 otherwise prescribed by general rules, the venue of such  
26 matters shall be in the court having jurisdiction over  
27 the administration of the related estate.

28 (vii) Except where an employee of the Commonwealth  
29 is involved, determinations of the Pennsylvania Labor  
30 Relations Board under the act of July 23, 1970 (P.L.563,

1       No.195), known as the ["Public Employee Relations Act.["]  
2       Except as otherwise prescribed by general rules, venue  
3       shall be in any county where the unfair labor practice in  
4       question was alleged to have been engaged in, or wherein  
5       the appellant or employer in a representation case  
6       resides or transacts business.

7       [(viii) Determinations of an arbitration panel  
8       established under the act of October 15, 1975 (P.L.390,  
9       No.111), known as the "Health Care Services Malpractice  
10      Act." Except as otherwise prescribed by general rules,  
11      venue shall be in the county where the cause of action  
12      arose.]

13      (ix) Determinations of the Department of Labor and  
14      Industry or the Department of Commerce reviewable under  
15      the act of December 15, 1980 (P.L.1203, No.222), known as  
16      the ["Building Energy Conservation Act.[" Except as  
17      otherwise prescribed by general rules, venue shall be in  
18      the county where the building is located.

19      (2) Appeals from government agencies, except  
20      Commonwealth agencies, under Subchapter B of Chapter 7 of  
21      Title 2 (relating to judicial review of local agency action)  
22      or otherwise.

23      (3) Appeals jurisdiction of which is vested in the  
24      courts of common pleas by any statute hereafter enacted.

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26      Section 2. This act shall take effect in 60 days.