

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 985 Session of
2001INTRODUCED BY PUNT, KITCHEN, MOWERY, COSTA, LEMMOND AND MUSTO,
JUNE 14, 2001

AS AMENDED ON THIRD CONSIDERATION, DECEMBER 5, 2001

AN ACT

1 Amending the act of August 9, 1955 (P.L.323, No.130), entitled,
2 as amended, "An act relating to counties of the first, third,
3 fourth, fifth, sixth, seventh and eighth classes; amending,
4 revising, consolidating and changing the laws relating
5 thereto; relating to imposition of excise taxes by counties,
6 including authorizing imposition of an excise tax on the
7 rental of motor vehicles by counties of the first class; and
8 providing for regional renaissance initiatives," further
9 providing for CLASSIFICATION OF COUNTIES, FOR expenses of <—
10 elected county officers attending the annual meetings of
11 their associations and for other meeting expenses paid by the
12 counties.

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

15 ~~Section 1. Section 443 of the act of August 9, 1955~~ <—
16 ~~(P.L.323, No.130), known as The County Code, amended November~~
17 ~~23, 1994 (P.L.640, No.98), is amended to read:~~

18 SECTION 1. SECTION 210 OF THE ACT OF AUGUST 9, 1955 <—
19 (P.L.323, NO.130), KNOWN AS THE COUNTY CODE, AMENDED FEBRUARY 5,
20 1982 (P.L.7, NO.3), IS AMENDED TO READ:

21 SECTION 210. COUNTIES DIVIDED INTO NINE CLASSES.--FOR THE
22 PURPOSES OF LEGISLATION AND THE REGULATION OF THEIR AFFAIRS,

1 COUNTIES OF THIS COMMONWEALTH, NOW IN EXISTENCE AND THOSE
2 HEREAFTER CREATED, SHALL BE DIVIDED INTO NINE CLASSES AS
3 FOLLOWS:

4 (1) FIRST CLASS COUNTIES, THOSE HAVING A POPULATION OF
5 1,500,000 INHABITANTS AND OVER.

6 (2) SECOND CLASS COUNTIES, THOSE HAVING A POPULATION OF
7 800,000 AND MORE BUT LESS THAN 1,500,000 INHABITANTS.

8 (2.1) SECOND CLASS A COUNTIES, THOSE HAVING A POPULATION OF
9 500,000 AND MORE BUT LESS THAN 800,000 INHABITANTS.

10 (3) THIRD CLASS COUNTIES, THOSE HAVING A POPULATION OF
11 [225,000] 210,000 AND MORE BUT LESS THAN 500,000 INHABITANTS.

12 (4) FOURTH CLASS COUNTIES, THOSE HAVING A POPULATION OF
13 [150,000] 145,000 AND MORE BUT LESS THAN [225,000] 210,000
14 INHABITANTS.

15 (5) FIFTH CLASS COUNTIES, THOSE HAVING A POPULATION OF
16 95,000 AND MORE BUT LESS THAN [150,000] 145,000 INHABITANTS.

17 (6) SIXTH CLASS COUNTIES, THOSE HAVING A POPULATION OF
18 45,000 AND MORE BUT LESS THAN 95,000 INHABITANTS AND THOSE
19 HAVING A POPULATION OF 35,000 AND MORE BUT LESS THAN 45,000
20 INHABITANTS WHICH BY ORDINANCE OR RESOLUTION OF THE BOARD OF
21 COUNTY COMMISSIONERS ELECT TO BE A COUNTY OF THE SIXTH CLASS.

22 (7) SEVENTH CLASS COUNTIES, THOSE HAVING A POPULATION OF
23 20,000 OR MORE BUT LESS THAN 45,000 INHABITANTS AND THOSE HAVING
24 A POPULATION OF 35,000 AND MORE BUT LESS THAN 45,000 INHABITANTS
25 WHICH HAVE NOT ELECTED TO BE A COUNTY OF THE SIXTH CLASS.

26 (8) EIGHTH CLASS COUNTIES, THOSE HAVING A POPULATION OF LESS
27 THAN 20,000 INHABITANTS.

28 SECTION 2. SECTION 443 OF THE ACT, AMENDED NOVEMBER 23, 1994
29 (P.L.640, NO.98), IS AMENDED TO READ:

30 Section 443. Expenses of Attending Members to be Paid by

1 County; Time Limit on Meetings.--(a) The actual expenses of all
2 authorized elected county officers attending the annual meetings
3 of their associations shall be paid by the several counties out
4 of the general county fund. Each of these officers, except the
5 county commissioners, shall be reimbursed for actual expenses
6 not to exceed [one hundred ten dollars (\$110)] one hundred
7 seventy-five dollars (\$175) per day for the number of days
8 specified in subsection (b) of this section, together with
9 mileage going to and returning from such meeting and the
10 registration fee. The sum of one hundred seventy-five dollars
11 (\$175) per day as set forth in this subsection shall be adjusted
12 annually by the annual increase in the cost-of-living as
13 determined annually by the United States Department of Labor.

14 (a.1) The actual expenses of all authorized nonelected
15 county officers and employees attending the annual meetings of
16 their associations may be paid by the several counties out of
17 the county general fund. Each of these officers may be
18 reimbursed for actual expenses in an amount not to exceed [one
19 hundred ten dollars (\$110)] one hundred seventy-five dollars
20 (\$175) per day for the number of days specified in subsection
21 (b) of this section, together with mileage going to and
22 returning from such meetings and the registration fee. The sum
23 of one hundred seventy-five dollars (\$175) per day shall be
24 adjusted annually as set forth in subsection (a) of this
25 section.

26 (a.2) Every delegate attending the annual meeting shall
27 submit to the county an itemized account of expenses incurred at
28 the meeting. The county may authorize employees to be compensated
29 at their regular employee rate during their attendance at the
30 annual meeting. The actual expenses for elected officers shall,

1 and for nonelected officers may, be paid for the number of days
2 specified in subsection (b). In addition, elected county
3 officers shall receive, and nonelected county officers and
4 employes may receive, actual expenses not to exceed [one hundred
5 ten dollars (\$110)] one hundred seventy-five dollars (\$175) per
6 day for each day not in excess of two in going to and returning
7 from such meeting. The sum of one hundred seventy-five dollars
8 (\$175) per day shall be adjusted annually as set forth above.

9 (b) The annual meeting of the association of county
10 commissioners, county solicitors and chief clerks shall not
11 exceed four days, that of the district attorneys shall not
12 exceed three days, and those of all other State associations
13 shall not exceed three days in every case, exclusive of the time
14 spent in traveling to and from the said meetings.

15 Section ~~2~~ 3. Section 444 of the act, amended December 12, <—
16 1980 (P.L.1174, No.216), is amended to read:

17 Section 444. Other Meeting Expenses Paid by Counties.--(a)
18 In addition to the expenses hereinbefore authorized, the
19 necessary expenses of the annual meetings of the associations
20 hereinafter named, including annual association dues, printing,
21 committee expenses and stenographical expense, shall be paid in
22 equal parts by the several counties whose officers are members
23 of the respective associations.

24 (b) In the case of county commissioners, county solicitor
25 and county clerk, county controllers, county auditors, sheriffs,
26 register of wills, clerks of orphans' courts, county treasurers,
27 recorders of deeds, prothonotaries, clerks of courts, public
28 defenders, district attorneys, jury commissioners and coroners,
29 the portion of the annual expenses charged to each county of the
30 third and fourth class shall not exceed [four hundred dollars

1 (\$400)] six hundred dollars (\$600), to each county of the fifth
2 and sixth class, [three hundred dollars (\$300)] five hundred
3 dollars (\$500), to each county of the seventh and eighth class,
4 [two hundred dollars (\$200)] four hundred dollars (\$400), and in
5 the case of the directors of veterans' affairs the portion
6 charged to each county shall not exceed [fifty dollars (\$50)]
7 one hundred dollars (\$100), and in the case of the probation
8 officers an annual membership subscription not exceeding [six
9 dollars (\$6)] ten dollars (\$10) per member shall be paid by the
10 county, and shall be in lieu of the expenses hereinbefore in
11 this section provided for other county officers.

12 SECTION 4. ANY COUNTY WHOSE CLASSIFICATION UPON ENACTMENT OF <—
13 THIS AMENDATORY STATUTE WOULD BE ADVANCED FROM ITS
14 CLASSIFICATION DURING THE PRECEDING DECADE AS A RESULT OF THE
15 ENACTMENT OF THIS AMENDATORY STATUTE SHALL RETAIN THE
16 CLASSIFICATION OF THE COUNTY EXISTING DURING THE PRECEDING
17 DECADE UNLESS THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY
18 ELECTS BY ORDINANCE OR RESOLUTION TO ADVANCE ITS CLASSIFICATION.

19 Section ~~3~~ 5. This act shall take effect immediately. <—