
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

 HOUSE BILL

 No. 1990 Session of
2009

INTRODUCED BY GABLER, RAPP, FAIRCHILD, ADOLPH, BAKER, BARRAR, BEAR, BENNINGHOFF, BEYER, BOYD, BRADFORD, BRENNAN, BRIGGS, BROOKS, BURNS, CALTAGIRONE, CARROLL, CAUSER, CHRISTIANA, CLYMER, CONKLIN, P. COSTA, COX, CREIGHTON, CURRY, CUTLER, DALLY, DAY, DELOZIER, DENLINGER, DeWEESE, DIGIROLAMO, ELLIS, EVERETT, FARRY, FLECK, FREEMAN, GABIG, GERGELY, GIBBONS, GINGRICH, GODSHALL, GOODMAN, GRELL, GROVE, HARHART, HARPER, HARRIS, HELM, HENNESSEY, HESS, HICKERNELL, HORNAMAN, HOUGHTON, HUTCHINSON, KAUFFMAN, M. KELLER, KILLION, KNOWLES, KORTZ, KULA, LENTZ, MAHONEY, MAJOR, MARSHALL, MELIO, METZGAR, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MUNDY, MURT, MYERS, OBERLANDER, O'NEILL, PASHINSKI, PEIFER, PHILLIPS, PICKETT, PYLE, QUIGLEY, QUINN, REED, REICHLEY, ROAE, ROCK, ROHRER, SAYLOR, SCAVELLO, SCHRODER, SEIP, SHAPIRO, SIPTROTH, K. SMITH, SOLOBAY, SONNEY, STERN, STEVENSON, SWANGER, TALLMAN, J. TAYLOR, TRUE, TURZAI, VULAKOVICH, WANSACZ, WATSON AND YOUNGBLOOD, SEPTEMBER 22, 2009

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, SEPTEMBER 28, 2010

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 other meeting expenses paid by counties AND FOR
 10 THE OFFICE OF DISTRICT ATTORNEY IN CERTAIN COUNTIES. ←

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

13 Section 1. Section 444 of the act of August 9, 1955

1 (P.L.323, No.130), known as The County Code, amended April 2,
2 2002 (P.L.209, No.18), is amended to read:

3 Section 444. Other Meeting Expenses Paid by Counties.--(a)
4 In addition to the expenses hereinbefore authorized, the
5 necessary expenses of the annual meetings of the associations
6 hereinafter named, including annual association dues, printing,
7 committee expenses and stenographical expense, shall be paid in
8 equal parts by the several counties whose officers are members
9 of the respective associations.

10 (b) In the case of county commissioners, county solicitor
11 and county clerk, county controllers, county auditors, sheriffs,
12 register of wills, clerks of orphans' courts, county treasurers,
13 recorders of deeds, prothonotaries, clerks of courts, public
14 defenders, district attorneys, jury commissioners and coroners,
15 the portion of the annual expenses charged to each county of the
16 third and fourth class shall not exceed six hundred dollars
17 (\$600), to each county of the fifth and sixth class, five
18 hundred dollars (\$500), to each county of the seventh and eighth
19 class, four hundred dollars (\$400), and in the case of the
20 directors of veterans' affairs the portion charged to each
21 county shall not exceed [one hundred dollars (\$100)] four
22 hundred dollars (\$400), and in the case of the probation
23 officers an annual membership subscription not exceeding ten
24 dollars (\$10) per member shall be paid by the county, and shall
25 be in lieu of the expenses hereinbefore in this section provided
26 for other county officers.

27 SECTION 2. SECTION 1401 (I) AND (M) OF THE ACT, AMENDED JULY ←
28 14, 2005 (P.L.312, NO.57), ARE AMENDED AND THE SECTION IS
29 AMENDED BY ADDING A SUBSECTION TO READ:

30 SECTION 1401. DISTRICT ATTORNEY; QUALIFICATIONS;

1 ELIGIBILITY; COMPENSATION.--* * *

2 (G.1) IN COUNTIES OF THE EIGHTH CLASS, A FULL-TIME DISTRICT
3 ATTORNEY SHALL NOTIFY THE COMMISSIONERS OF THE COUNTY IN WRITING
4 OF HIS INTENTION TO SEEK REELECTION NO LATER THAN NINETY DAYS
5 PRIOR TO THE FIRST DAY FOR THE CIRCULATION OF NOMINATING
6 PETITIONS FOR THE OFFICE OF DISTRICT ATTORNEY. IF THE FULL-TIME
7 DISTRICT ATTORNEY DOES NOT NOTIFY THE COMMISSIONERS OF THE
8 COUNTY THAT HE INTENDS TO SEEK REELECTION NINETY DAYS PRIOR TO
9 THE CIRCULATION OF NOMINATING PETITIONS, THE COMMISSIONERS OF
10 THE COUNTY MAY BY ORDINANCE FIX THE SERVICES OF THE DISTRICT
11 ATTORNEY AS PART TIME. AN ORDINANCE UNDER THIS SUBSECTION MAY BE
12 MADE NO LATER THAN THIRTY DAYS PRIOR TO THE FIRST DAY FOR THE
13 CIRCULATION OF NOMINATING PETITIONS FOR THE OFFICE OF DISTRICT
14 ATTORNEY. NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (G) (2),
15 IF THE COMMISSIONERS OF A COUNTY ELECT TO FIX THE SERVICES OF
16 THE DISTRICT ATTORNEY AS PART TIME UNDER THIS SUBSECTION, THE
17 PRESIDENT JUDGE OF THE COURT OF COMMON PLEASE SHALL NOT HAVE THE
18 AUTHORITY TO ORDER THAT THE OFFICE OF DISTRICT ATTORNEY SHALL BE
19 FULL TIME.

20 * * *

21 (I) [ONCE] EXCEPT AS PROVIDED FOR IN SUBSECTION (G.1), ONCE
22 THE OFFICE OF DISTRICT ATTORNEY BECOMES FULL TIME, IT SHALL NOT
23 THEREAFTER BE CHANGED.

24 * * *

25 (M) EXCEPT AS PROVIDED IN [SUBSECTION (G)] SUBSECTIONS (G)
26 AND (G.1), ANY OFFICE OF DISTRICT ATTORNEY THAT IS PART TIME ON
27 JANUARY 2, 2012, SHALL BECOME FULL TIME AS OF THAT DATE.

28 * * *

29 Section ~~2~~ 3. This act shall take effect ~~in 60 days.~~ AS
30 FOLLOWS:



1 (1) THE AMENDMENT OF SECTION 444 OF THE ACT SHALL TAKE
2 EFFECT IN 60 DAYS.

3 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
4 IMMEDIATELY.