

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1155 Session of 2009

INTRODUCED BY EICHELBERGER, ROBBINS, ERICKSON, STOUT AND WOZNIAK, DECEMBER 14, 2009

AS AMENDED ON SECOND CONSIDERATION, MAY 3, 2010

AN ACT

1 Amending Title 16 (Counties) of the Pennsylvania Consolidated
2 Statutes, adding provisions for required fiscal security
3 through bonding, blanket bonding and insuring of elected and
4 appointed county officers and employees; providing for
5 determining the form, amount and payment of premiums for and
6 the filing and recording of the required security and for the
7 subsequent issuance of official commissions; and making
8 related repeals.

9 TABLE OF CONTENTS

10 TITLE 16

11 COUNTIES

12 PART I. PRELIMINARY PROVISIONS (Reserved)

13 PART II. CREATION, ALTERATION AND FUNCTIONS (Reserved)

14 PART III. GOVERNMENT AND ADMINISTRATION

15 Subpart A. General Provisions

16 Chapter 11. General Provisions

17 Subchapter A. (Reserved)

18 Subchapter B. Required Fiscal Security for Officers and

19 Employees

20 § 1121. Short title and scope of subchapter.

21 § 1122. Definitions.

- 1 § 1123. Required security.
- 2 § 1124. Official security and officers.
- 3 § 1125. Other county officers and employees, deputies and other
4 appointees of county officers.
- 5 § 1126. County officers and employees acting as agents.
- 6 § 1127. Bonds or blanket bond as security coverage.
- 7 § 1128. Insurance as security coverage.
- 8 § 1129. Form of required security.
- 9 § 1130. Amount of coverage.
- 10 § 1131. Custody and filing of required security documents.
- 11 § 1132. Payment of premiums and commissions on collections.
- 12 § 1133. Other requirements, references and approvals.

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

15 Section 1. Title 16 of the Pennsylvania Consolidated
16 Statutes is amended by adding parts to read:

17 PART I

18 PRELIMINARY PROVISIONS (Reserved)

19 PART II

20 CREATION, ALTERATION AND FUNCTIONS (Reserved)

21 PART III

22 GOVERNMENT AND ADMINISTRATION

23 Subpart

24 A. General Provisions

25 CHAPTER 11

26 GENERAL PROVISIONS

27 Subchapter

28 A. (Reserved)

29 B. Required Fiscal Security for Officers and Employees

30 Sec.

1 1121. Short title and scope of subchapter.
2 1122. Definitions.
3 1123. Required security.
4 1124. Official security and officers.
5 1125. Other county officers and employees, deputies and other
6 appointees of county officers.
7 1126. County officers and employees acting as agents.
8 1127. Bonds or blanket bond as security coverage.
9 1128. Insurance as security coverage.
10 1129. Form of required security.
11 1130. Amount of coverage.
12 1131. Custody and filing of required security documents.
13 1132. Payment of premiums and commissions on collections.
14 1133. Other requirements, references and approvals.
15 § 1121. Short title and scope of subchapter.
16 (a) Short title of subchapter.--This subchapter shall be
17 known and may be cited as the County Officer and Employee Fiscal
18 Security Act.
19 (b) Scope of subchapter.--This subchapter applies to
20 security coverage and additional coverage in the form of bonds,
21 blanket bonds or insurance, protecting against events of loss OF ←
22 MONEY OR PROPERTY AS A RESULT OF MISCONDUCT by officers and
23 employees in counties of the second class, second class A, third
24 class, fourth class, fifth class, sixth class, seventh class or
25 eighth class, including counties of these classes which have
26 adopted a home rule charter or an optional plan.
27 (c) Inapplicability.--This subchapter shall not apply to
28 bonds of county treasurers acting as tax collectors as provided
29 in section 4 of the act of May 25, 1945 (P.L.1050, No.394),
30 known as the Local Tax Collection Law.

1 § 1122. Definitions.

2 The following words and phrases when used in this subchapter
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 "Additional coverage." Insurance that covers each county
6 officer or employee who is required to receive, account for or
7 hold any money or property by virtue of his or her office or
8 employment and which, at a minimum, indemnifies the county
9 against the loss of money and property through robbery, burglary
10 and larceny.

11 "Blanket bond." Security coverage in the form of a bond for
12 county officers and employees as follows:

13 (1) for county officers and employees as a comprehensive
14 group;

15 (2) for a group of named county officers and employees;
16 or

17 (3) for county officers and employees in scheduled
18 positions.

19 "Bond." Security coverage under which a surety guarantees
20 the performance of a duty by a county officer or employee in
21 compliance with this subchapter.

22 "County." A county of the second class, second class A,
23 third class, fourth class, fifth class, sixth class, seventh
24 class or eighth class, including counties of these classes which
25 have adopted or may adopt a home rule charter or an optional
26 plan.

27 "County officers and employees." Elected and appointed
28 county officials, the deputies and other appointees of county
29 elected and appointed officials and county employees, whether
30 acting on behalf of the county or as agents of a Commonwealth

1 agency or ~~the judicial branch~~ A GOVERNING AUTHORITY, who are ←
2 required to receive, account for or hold any money or property
3 by virtue of their office or employment.

4 "Crime-fidelity insurance." Insurance that is endorsed with
5 faithful performance of duty coverage and which insures, at a
6 minimum, against events of loss of money or other property,
7 resulting from one or more fraudulent or dishonest acts,
8 including, but not limited to, embezzlement, theft, forgery,
9 similar acts of dishonesty or fraud by a county officer or
10 employee acting alone or in collusion with others, or from a
11 breach of fiduciary duty or a failure of a county officer or
12 employee to perform faithfully ~~his or her~~ THE OFFICER'S OR ←
13 EMPLOYEE'S duties or to account properly for all money and
14 property received, held or required to be accounted for, by
15 virtue of ~~his or her~~ THE OFFICER'S OR EMPLOYEE'S office or ←
16 employment.

17 "Governing authority." Includes:

18 (1) The Supreme Court.

19 (2) Any agency or unit of the unified judicial system
20 exercising a power or performing a duty under 42 Pa.C.S. §
21 1721 (relating to delegation of powers).

22 "Governing body." The county board of commissioners or the
23 body vested with the legislative authority of the county in
24 counties which have adopted a home rule charter or an optional
25 plan.

26 "Home rule charter." A charter adopted under 53 Pa.C.S. Pt.
27 III Subpt. E (relating to home rule and optional plan
28 government) or its predecessor, the former act of April 13, 1972
29 (P.L.184, No.62), known as the Home Rule Charter and Optional
30 Plans Law, or Article XXXI-C of the act of July 28, 1953

1 (P.L.723, No.230), known as the Second Class County Code.

2 ~~"Judicial branch." The judicial branch specified in section~~ ←
3 ~~10(c) of Article V of the Constitution of Pennsylvania.~~

4 "Money." Coin or currency of the United States or of any
5 other country, travelers checks, personal checks, bank checks
6 and bank notes in current use and having a face value, money
7 orders and securities.

8 "Official security." Security on behalf of a county officer
9 to provide protection from events of loss or misconduct when the
10 officer fails to faithfully perform the duties of the office.

11 "Optional plan." An optional plan adopted under 53 Pa.C.S.
12 Pt. III Subpt. E (relating to home rule and optional plan
13 government) or its predecessor, the former act of April 13, 1972
14 (P.L.184, No.62), known as the Home Rule Charter and Optional
15 Plans Law.

16 "Required security." Security coverage and additional
17 coverage provided in compliance with this subchapter.

18 "Securities." All negotiable and nonnegotiable instruments
19 or contracts representing either money or other property,
20 including revenue and other stamps in current use, tokens and
21 tickets and evidences of debt issued in connection with credit
22 or charge cards, which cards are not issued by the county.

23 "Security coverage." A bond, a blanket bond or a crime-
24 fidelity insurance policy, which is endorsed with faithful
25 performance of duty coverage, provided in compliance with this
26 subchapter for the purpose of protecting against the loss of
27 money and other property sustained as a result of one or more
28 fraudulent or dishonest acts, including, but not limited to,
29 embezzlement, theft, forgery, similar acts of dishonesty or
30 fraud by a county officer or employee acting alone or in

1 collusion with others or from a breach of fiduciary duty or a
2 failure of a county officer or employee to perform faithfully
3 ~~his or her~~ THE OFFICER'S OR EMPLOYEE'S duties or to account ←
4 properly for all money and property received by virtue of ~~his or~~ ←
5 ~~her~~ THE OFFICER'S OR EMPLOYEE'S position or employment. ←

6 § 1123. Required security.

7 (a) In general.--A county shall ~~have the power and its duty~~ ←
8 ~~shall be to provide~~ OBTAIN security coverage and additional ←
9 coverage ~~to~~ FOR county officers and employees in accordance with ←
10 this subchapter.

11 (b) Security coverage.--Security coverage shall be provided
12 in accordance with the following:

13 (1) Section 1124 (relating to official security and
14 officers).

15 (2) Section 1125 (relating to other county officers and
16 employees; deputies and other appointees of county officers).

17 (3) Section 1126 (relating to county officers and
18 employees acting as agents).

19 (c) Additional coverage.--Supplemental to or as part of the
20 security coverage to be provided in accordance with this
21 subchapter, additional coverage in the form of adequate
22 insurance indemnifying against the loss of money and property
23 through robbery, burglary and larceny, shall be provided for
24 each county officer or employee who is required to receive,
25 account for or hold any money and other property by virtue of
26 ~~his or her~~ THE OFFICER'S OR EMPLOYEE'S office or employment. ←

27 (d) Primary liability.--

28 (1) Except as provided in paragraph (2), the county
29 shall be primarily liable for a claim for the loss of money
30 and property which a county officer or employee is required

1 to receive, account for or hold by virtue of his or her THE
2 OFFICER'S OR EMPLOYEE'S office or employment, to the extent
3 that the loss is or could have been the subject of required
4 security under this subchapter.

5 (2) The county shall not be primarily liable for a claim
6 for the loss of money and property under paragraph (1) to the
7 extent that recovery of the loss can be obtained from other
8 insurance or bond protection provided by the Commonwealth
9 agency or any other person or entity asserting a claim.

10 (3) With regard to the loss of money or property,
11 nothing in this subchapter shall be deemed to restrict or
12 diminish a county's right to reimbursement or subrogation or
13 to limit any right the county may have to be indemnified or
14 receive restitution for the loss.

15 § 1124. Official security and officers.

16 (a) Official security.--Each county shall obtain official
17 security in the form of bonds, a blanket bond or a crime-
18 fidelity insurance policy, which is endorsed with faithful
19 performance of duty coverage, on behalf of the officers set
20 forth in subsection (b) or the equivalent officers in home rule
21 or optional plans counties, whether elected, appointed or
22 appointed to fill a vacancy, before those officers enter upon
23 BEGIN their official duties.

24 (b) Officers.--The following are the officers or equivalent
25 officers in home rule or optional plans counties upon whose
26 behalf official security shall be obtained in accordance with
27 subsection (a):

28 (1) Each county commissioner.

29 (2) The chief clerk of the county commissioners.

30 (3) The controller.

1 (4) The county treasurer.
2 (5) The prothonotary of the court of common pleas.
3 (6) The sheriff.
4 (7) The coroner.
5 (8) The clerk of the courts of the court of common
6 pleas.
7 (9) The clerk of the orphans' court division of the
8 court of common pleas.
9 (10) The recorder of deeds.
10 (11) The register of wills.
11 (12) ~~The probation~~ PROBATION and parole officers, if ←
12 required by order of court to ~~give bond to the county~~ OBTAIN ←
13 OFFICIAL SECURITY.
14 (13) The fire marshal and deputy fire marshals, if
15 required by law to ~~give bond~~ OBTAIN OFFICIAL SECURITY. ←
16 (14) The secretary of the board of health and the health
17 officer in ~~counties~~ A COUNTY in which ~~they are~~ THE SECRETARY ←
18 IS required by law to ~~give bond~~ OBTAIN OFFICIAL SECURITY. ←
19 § 1125. Other county officers and employees, ~~deputies and other~~ ←
20 ~~appointees of county officers.~~
21 ~~With regard to~~ A COUNTY SHALL OBTAIN SECURITY COVERAGE WITH ←
22 FAITHFUL PERFORMANCE OF DUTY COVERAGE FOR ALL county officers
23 and employees ~~generally~~ who are not subject to section 1124 ←
24 (relating to official security and officers), including ~~the~~ ←
25 deputies and other appointees in each county office, who are
26 required to receive, account for or hold any money and other
27 property by virtue of their office or employment, ~~each county~~ ←
28 ~~shall obtain security coverage, in the form of a blanket bond or~~
29 ~~a crime fidelity insurance policy, with faithful performance of~~
30 ~~duty coverage for all such officers, employees, deputies and~~

1 appointees.

2 § 1126. County officers and employees acting as agents.

3 Each county shall obtain security, in the form of a bond, ←
4 blanket bond or a crime fidelity insurance policy covering
5 COVERAGE FOR county officers and employees acting as agents of a ←
6 Commonwealth agency or the judicial branch GOVERNING AUTHORITY ←
7 in accordance with this subchapter or any other law, regulation
8 or rule requiring the posting of security in the form of a bond
9 or otherwise.

10 § 1127. Bonds or blanket bond as security coverage.

11 (a) In general.--A county may comply with section 1123(b)
12 (relating to required security) by providing bonds or a blanket
13 bond in accordance with the following:

14 (1) The bond or blanket bond shall be joint and several,
15 with one or more corporate sureties, which shall be surety ←
16 companies authorized to do business in this Commonwealth and
17 licensed by the Insurance Commissioner.

18 (2) The bond or blanket bond shall be conditioned upon
19 each of the following:

20 (i) The faithful performance of all duties required
21 of the person holding the office or position.

22 (ii) The just and faithful use, appropriation, ←
23 accounting or payment over, according to law, of all
24 moneys and balances and other property, which is required
25 to be received, accounted for or held by the officer or
26 employee by virtue of his or her THE OFFICER'S OR ←
27 EMPLOYEE'S office or employment whether on behalf of the
28 county, the Commonwealth, any A political subdivision or ←
29 any other person.

30 (iii) The delivery to the successor or successors in ←

1 office of all books, papers, documents or other official
2 things, whole, safe and undefaced, held in right of the
3 office.

4 (3) A bond or blanket bond shall be taken in the name of
5 the county and, in case of a breach of any of the conditions
6 thereof by the acts or neglect of ~~the~~ A principal ~~or~~ ←
7 ~~principals~~ on the bond, shall be for the use of the county,
8 the Commonwealth, ~~any~~ A political subdivision or any other ←
9 person as that person's interest shall otherwise appear.

10 (4) The county, the Commonwealth, ~~any~~ A political ←
11 subdivision or other interested persons may sue upon the bond
12 in its ~~or their own names for its or their~~ NAME OR FOR ITS ←
13 own use. Acts of the General Assembly pertaining to actions
14 and limitations of actions upon official bonds given to the
15 Commonwealth shall apply to the bonds provided for in this
16 subchapter just as if they were given to the Commonwealth,
17 except as otherwise specifically provided in this subchapter.

18 (b) Combined offices.--In counties in which ~~any~~ ONE OR MORE ←
19 of the county offices ~~as~~ set forth in section 1123(b) are ←
20 combined, if officers are covered by individual bonds, a single
21 bond covering the combined offices shall suffice for the officer
22 holding the combined offices.

23 § 1128. Insurance as security coverage.

24 A county may comply with section 1123(b) (relating to
25 required security) by providing crime-fidelity insurance for
26 county officers or employees in accordance with this subchapter.

27 § 1129. Form of required security.

28 The form and contents of a bond, a blanket bond or insurance
29 obtained in compliance with this subchapter shall be approved by
30 the governing body OF THE COUNTY, after review by the county ←

1 solicitor and consultation with the county risk manager, if any.
2 In cases in which required security is being provided for a
3 county officer or employee who is acting as an agent for a
4 Commonwealth agency or the ~~judicial branch, the relevant~~ ←
5 GOVERNING AUTHORITY, THE Commonwealth agency or the ~~appropriate~~ ←
6 governing authority may review and comment on the form of the
7 required security. ~~In approving the form and contents of a bond,~~ ←
8 ~~a blanket bond or insurance obtained in compliance with this~~
9 ~~subchapter, the~~ THE governing body may refer to sample forms ←
10 that may be made available by the Department of State IN THE ←
11 APPROVAL PROCESS.

12 § 1130. Amount of coverage.

13 (a) Governing body.--~~The governing body shall have the power~~ ←
14 ~~and its duty shall be to~~ establish a procedure pursuant to which
15 the governing body shall annually determine ~~an~~ THE FORM AND ←
16 amount of required security ~~in whatever form~~ that will be ←
17 reasonably sufficient to protect against the risks of loss ~~to be~~ ←
18 ~~covered~~ in compliance with this subchapter.

19 (b) Risk manager.--The governing body may appoint a risk
20 manager who, at the request of the governing body, shall compile
21 and submit information relevant to the determination of an
22 amount of required security under subsection (a).

23 (c) Consultation.--~~In determining the amount of required~~ ←
24 ~~security under this section~~ TO DETERMINE THE AMOUNT OF SECURITY ←
25 for a county officer or employee who is acting as an agent for a
26 Commonwealth agency or the ~~judicial branch~~ GOVERNING AUTHORITY, ←
27 the governing body may, or the risk manager shall, if directed
28 by the governing body, ~~give notice in writing~~ PROVIDE WRITTEN ←
29 NOTICE to the secretary or head of the ~~relevant~~ Commonwealth ←
30 agency or the ~~appropriate~~ governing authority. The Commonwealth ←

1 agency or governing authority may provide input concerning the
2 amount of security it believes is reasonably sufficient to
3 protect against the risks of loss to be covered in compliance ←
4 REQUIRED TO COMPLY with this subchapter. Nothing in this ←
5 subchapter shall impair the right of a Commonwealth agency OR ←
6 GOVERNING AUTHORITY from approving the amount of required
7 security, if it is explicitly authorized by law to approve the
8 amount of a bond or other security of a county officer or
9 employee acting as its agent.

10 § 1131. Custody and filing of required security documents.

11 (a) Custody.--The governing body shall direct the chief
12 clerk or equivalent officer in a home rule or optional plan
13 county to present the documents evidencing required security
14 obtained in accordance with this subchapter to the recorder of
15 deeds or equivalent officer in a home rule or optional plan
16 county for recording. No tax, fee or other charge shall be
17 imposed for the recording of documents in compliance with this
18 section. After FOLLOWING THE RECORDING, the documents evidencing ←
19 required security are recorded, they shall be returned to the
20 chief clerk or equivalent officer in a home rule or optional
21 plan county, who shall maintain the custody of these documents
22 on behalf of the governing body.

23 (b) Department of State filing of required security ←
24 documents and commissions.--

25 (1) In satisfaction of COMPLIANCE WITH section 809 of ←
26 the act of April 9, 1929 (P.L.177, No.175), known as The
27 Administrative Code of 1929, it shall be sufficient for a
28 copy of the recorded documents evidencing the required
29 security for county officers to be filed with the Department
30 of State in accordance with deadlines established by the

1 department.

2 (2) No other filing or approvals, except as provided in
3 section 1133(c)(2) (relating to other requirements,
4 references and approvals) of documents evidencing the
5 required security for county officers, except that required
6 in accordance with paragraph (1), shall be required as a
7 condition ~~to~~ FOR the issuance of commissions to elected ←
8 county officials by the Department of State ~~according to law.~~ ←

9 (3) Notwithstanding the provision of any other law, no
10 tax, fee or other charge shall be imposed as a result of the
11 issuance of ~~the~~ commissions to elected county officials, and ←
12 no fee may be ~~made~~ IMPOSED for the recording of required ←
13 security documents or commissions.

14 (c) Copies.--If requested by the Commonwealth agency or
15 governing authority ~~of the judicial branch~~ on whose behalf a ←
16 county officer or employee is acting as an agent, a copy of
17 recorded documents evidencing the required security shall be
18 provided by the chief clerk or the equivalent officer in a home
19 rule or optional plans county to the Commonwealth agency or
20 governing authority. No charge or fee shall be imposed for any
21 copy provided in accordance with this subsection.

22 (d) Filing by governing body.--The governing body shall have
23 the duty to file documents as required by this section.

24 (e) Retention of documents.--Documents evidencing required
25 security shall be held by the custodian thereof for the longer
26 of the following periods:

27 (1) For at least one year after the officer's term of
28 office or employee's period of employment and, in the case of
29 a county officer or employee who is acting as an agent for a
30 Commonwealth agency ~~of the judicial branch~~ OR GOVERNING ←

1 AUTHORITY, for at least one year after the settlement of
2 accounts with the Commonwealth agency or the governing
3 authority.

4 (2) For the period of time required by the act of August
5 14, 1963 (P.L.839, No.407), entitled "An act creating a
6 county records committee; imposing powers and duties upon it;
7 authorizing the Pennsylvania Historical and Museum Commission
8 to assist and cooperate with it; defining county records; and
9 authorizing the disposition of certain county records by
10 county officers in counties of the second to eighth class,"
11 or the rules and regulations adopted pursuant thereto.

12 (f) Evidence.--A copy of original documents evidencing
13 required security, certified as true and correct by the
14 custodian thereof, or a copy of the recorded documents
15 evidencing required security, certified as true and correct by
16 the recorder of deeds, shall be competent evidence thereof in
17 any judicial proceeding, in the same manner as the original
18 would be if produced and offered in evidence.

19 (g) Sufficiency of filing and recording.--Notwithstanding
20 any other provision of law, it shall be sufficient to file and
21 record documents evidencing required security in accordance with
22 this subchapter without further acknowledgment, filing or
23 recording of these documents with any other county officer or
24 with any other Commonwealth agency, except as required by this
25 subchapter.

26 § 1132. Payment of premiums and commissions on collections.

27 (a) Premiums and costs.--The premiums and costs for all
28 forms of required security for county officials and employees
29 shall be paid by the county. The requirement of this subchapter
30 that a county acquire and pay the premiums and costs for

1 required security shall not relieve a Commonwealth agency on
2 whose behalf a county officer or employee is acting as an agent
3 from an obligation, imposed by law, to procure insurance or
4 bonding protection.

5 (b) Commissions on collections.--Nothing in this subchapter
6 shall affect the right, provided for in any other law, of a
7 county officer or employee to retain a commission, for use of
8 the county, on amounts collected or transmitted as agent for a
9 Commonwealth agency. Notwithstanding the right to retain
10 commissions in accordance with this paragraph, no county officer
11 or employee shall be entitled to retain any additional sums from
12 amounts collected for or to be transmitted to the Commonwealth
13 agency for the purpose of paying premiums or costs related to
14 the acquisition of required security.

15 § 1133. Other requirements, references and approvals.

16 (a) Compliance ~~with this subchapter.~~--A requirement in ←
17 another law, regulation or rule that a bond be provided by a
18 county officer or employee to secure the faithful performance of
19 duty or to act as the agent of a Commonwealth agency or the ←
20 ~~judicial branch~~ GOVERNING AUTHORITY may be satisfied by ←
21 including this obligation within the coverage of required
22 security supplied in accordance with this subchapter.

23 (b) Reference to bonds.--Reference to bonds of county
24 officers and employees in any other law shall be construed and
25 read together with this subchapter, and if a conflict exists
26 between this subchapter and the reference to bonds of county
27 officers and employees in any other law, the provisions of this
28 subchapter shall prevail.

29 (c) Other approvals.--Notwithstanding any other provision of
30 law, the following shall apply to required security in the form

1 of a bond, a blanket bond or insurance:

2 (1) Except as provided in paragraph (2), when required
3 security is obtained in compliance with this subchapter, it
4 shall not require the approval of any Commonwealth agency or
5 the Governor as to form, ~~contents~~ CONTENT or amount. ←

6 (2) ~~If, by law,~~ ANY OTHER LAW EXPLICITLY AUTHORIZES a ←
7 Commonwealth agency or the Governor ~~is explicitly authorized~~ ←
8 to approve the amount of a bond or other security of a county
9 officer or employee, the amount of required security under
10 this subchapter shall be subject to approval by the
11 Commonwealth agency or the Governor, which approval shall not
12 be unreasonably withheld.

13 Section 2. Repeals are as follows:

14 (1) The General Assembly declares that the repeals under
15 paragraph (2) are necessary to effectuate the amendment or
16 addition of 16 Pa.C.S. Ch. 11 Subch. B.

17 (2) The following acts and parts of acts are repealed:

18 (i) Sections 420, 421, 422, 423, 424, 425, 426, 427,
19 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 802,
20 803, 804 of the act of August 9, 1955 (P.L.323, No.130),
21 known as The County Code.

22 (ii) Sections 420, 421, 422, 423, 424, 425, 426,
23 427, 428, 429, 430, 431, 802, 803, 804, 1261 and 1262 of
24 the act of July 28, 1953 (P.L.723, No.230), known as the
25 Second Class County Code.

26 (iii) As much of section 3103 of the Second Class
27 County Code, as reads as follows: "The bond of the fire
28 marshal shall be in the sum of ten thousand dollars
29 (\$10,000) and the bonds of the deputy fire marshals shall
30 be in the sum of five thousand dollars (\$5000)."

1 (3) All acts and parts of acts are repealed insofar as
2 they are inconsistent with this act.

3 Section 3. A county may, at any time after the effective
4 date of this section, obtain required security in accordance
5 with 16 Pa.C.S. Ch.11 Subch. B. A county shall have in place
6 required security in accordance with 16 Pa.C.S. Ch.11 Subch. B
7 prior to the time that any elected county official takes office
8 after the municipal election next following the effective date
9 of this section. Bonds and insurance, which, on the effective
10 date of this section, cover county officers and employees, shall
11 remain in force and effect until required security is purchased.

12 Section 4. This act shall take effect immediately.