

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 755 Session of 2011

INTRODUCED BY GABLER, RAPP, ADOLPH, BAKER, BARRAR, BEAR, BENNINGHOFF, BOBACK, BOYD, BRADFORD, BRENNAN, BROOKS, CALTAGIRONE, CAUSER, CLYMER, D. COSTA, COX, CREIGHTON, CUTLER, DALEY, DAVIS, DAY, DEASY, DENLINGER, DeWEESE, EVERETT, FABRIZIO, FLECK, GIBBONS, GILLEN, GINGRICH, GOODMAN, GRELL, GROVE, HARHART, HARKINS, HEFFLEY, HELM, HENNESSEY, HESS, HICKERNELL, HORNAMAN, HUTCHINSON, KAVULICH, M.K. KELLER, KILLION, KNOWLES, KORTZ, LAWRENCE, LONGIETTI, MAJOR, MARSHALL, METZGAR, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MURT, OBERLANDER, O'NEILL, PEIFER, PERRY, PICKETT, PYLE, QUIGLEY, QUINN, READSHAW, REED, REICHLEY, ROAE, ROCK, SAINATO, SAYLOR, SCAVELLO, K. SMITH, STERN, SWANGER, TALLMAN, TOEPEL, VULAKOVICH, WATSON, WHITE AND YOUNGBLOOD, FEBRUARY 17, 2011

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 17, 2011

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
14 (P.L.323, No.130), known as The County Code, amended April 2,
15 2002 (P.L.209, No.18), is amended to read:

16 Section 444. Other Meeting Expenses Paid by Counties.--(a)

1 In addition to the expenses hereinbefore authorized, the
2 necessary expenses of the annual meetings of the associations
3 hereinafter named, including annual association dues, printing,
4 committee expenses and stenographical expense, shall be paid in
5 equal parts by the several counties whose officers are members
6 of the respective associations.

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

24 Section 2. Section 1401(i) and (m) of the act, amended July
25 14, 2005 (P.L.312, No.57), are amended and the section is
26 amended by adding a subsection to read:

27 Section 1401. District Attorney; Qualifications;
28 Eligibility; Compensation.--* * *

29 (g.1) In counties of the eighth class, a full-time district
30 attorney shall notify the commissioners of the county in writing

1 of his intention to seek reelection no later than ninety days
2 prior to the first day for the circulation of nominating
3 petitions for the office of district attorney. If the full-time
4 district attorney does not notify the commissioners of the
5 county that he intends to seek reelection ninety days prior to
6 the circulation of nominating petitions, the commissioners of
7 the county may by ordinance fix the services of the district
8 attorney as part time. An ordinance under this subsection may be
9 made no later than thirty days prior to the first day for the
10 circulation of nominating petitions for the office of district
11 attorney. Notwithstanding the provisions of subsection (g) (2),
12 if the commissioners of a county elect to fix the services of
13 the district attorney as part time under this subsection, the
14 president judge of the court of common pleas shall not have the
15 authority to order that the office of district attorney shall be
16 full time.

17 * * *

18 (i) [Once] Except as provided for in subsection (g.1), once
19 the office of district attorney becomes full time, it shall not
20 thereafter be changed.

21 * * *

22 (m) Except as provided in [subsection (g)] subsections (g)
23 and (g.1), any office of district attorney that is part time on
24 January 2, 2012, shall become full time as of that date.

25 * * *

26 Section 3. This act shall take effect as follows:

27 (1) The amendment of section 444 of the act shall take
28 effect in 60 days.

29 (2) The remainder of this act shall take effect
30 immediately.