
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

 HOUSE BILL

 No. 1644 Session of
2011

 INTRODUCED BY DUNBAR, CREIGHTON, CUTLER, GIBBONS, HENNESSEY,
HICKERNELL, KNOWLES, ROSS AND MURT, JUNE 8, 2011

 SENATOR CORMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, NOVEMBER 14, 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," in
9 contracts, further providing FOR APPLICABILITY, FOR THE ←
10 ABOLISHMENT OF THE OFFICE OF JURY COMMISSIONER AND for sales
11 of personal property and surplus farm products.

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

14 ~~Section 1. Section 1805(b) of the act of August 9, 1955 ←~~
15 ~~(P.L.323, No.130), known as The County Code, amended December~~
16 ~~22, 2000 (P.L.1019, No.142), is amended and the section is~~
17 ~~amended by adding subsections to read:~~

18 SECTION 1. SECTION 102(A) OF THE ACT OF AUGUST 9, 1955 ←
19 (P.L.323, NO.130), KNOWN AS THE COUNTY CODE, AMENDED JULY 14,
20 2005 (P.L.312, NO.57), IS AMENDED TO READ:

21 SECTION 102. APPLICABILITY.--(A) EXCEPT INCIDENTALLY, AS IN

1 SECTIONS 108, 201, 210, 211, 401 AND 1401 OR AS PROVIDED IN
2 ARTICLE XXX, THIS ACT DOES NOT APPLY TO COUNTIES OF THE FIRST,
3 SECOND A, OR SECOND CLASSES.

4 * * *

5 SECTION 2. SECTION 401 OF THE ACT IS AMENDED BY ADDING A
6 SUBSECTION TO READ:

7 SECTION 401. ENUMERATION OF ELECTED OFFICERS.--* * *

8 (F) AFTER REVIEW OF THE PROCEDURES IN EFFECT WITHIN THE
9 COUNTY TO ENSURE THAT LISTS OF POTENTIAL JURORS ARE A
10 REPRESENTATIVE CROSS SECTION OF THE COMMUNITY, THE GOVERNING
11 BODY OF A COUNTY OF THE SECOND CLASS A OR THIRD THROUGH EIGHTH
12 CLASS MAY ADOPT, BY A MAJORITY VOTE, A RESOLUTION ABOLISHING THE
13 OFFICE OF JURY COMMISSIONER. UPON APPROVAL OF THE RESOLUTION,
14 THE OFFICE OF JURY COMMISSIONER SHALL EXPIRE AT THE COMPLETION
15 OF THE CURRENT JURY COMMISSIONERS' TERMS OF OFFICE. THE
16 RESOLUTION SHALL NOT BE PASSED IN ANY YEAR IN WHICH THE OFFICE
17 OF JURY COMMISSIONER IS ON THE BALLOT.

18 SECTION 3. SECTION 1805(B) OF THE ACT, AMENDED DECEMBER 22,
19 2000 (P.L.1019, NO.142), IS AMENDED AND THE SECTION IS AMENDED
20 BY ADDING SUBSECTIONS TO READ:

21 Section 1805. Sales of Personal Property and Surplus Farm
22 Products.--* * *

23 (b) If the commissioners estimate the sale value of the
24 personal property or of such surplus farm products to be sold at
25 one thousand dollars (\$1,000) or more, the entire lot shall be
26 advertised for sale, once, in at least one newspaper of general
27 circulation in the county, and sale of the property so
28 advertised shall be made to the highest and best bidder. The
29 bids shall not be opened until at least ten days after the said
30 advertisement. The commissioners may sell any such property at

1 auction, but the provisions as to notice contained in this
2 section shall be likewise observed as to the holding of auction
3 sales. [The provisions of this section shall not be mandatory
4 where county property is to be traded-in or exchanged for new
5 personal property. The provisions of this section shall not
6 apply to sale of personal property with real property as a
7 single unit pursuant to section 2306.1.]

8 (c) (1) An auction of personal property may be conducted by
9 means of an online or electronic auction sale. During an
10 electronic auction sale, bids shall be accepted electronically
11 at the time and in the manner designated in the advertisement,
12 and each bidder shall have the capability to view the bidder's
13 bid rank or the high bid price. Bidders may increase their bid
14 prices during the electronic auction.

15 (2) The record of the electronic auction shall be accessible
16 for public inspection.

17 (3) The purchase price shall be paid by the high bidder
18 immediately or at a reasonable time after the conclusion of the
19 electronic auction as determined by the board of county
20 commissioners. In the event that shipping costs are incurred,
21 they shall be paid by the high bidder.

22 (4) A county that has complied with the advertising
23 requirements of this subsection may provide additional public
24 notice of the sale by bids or public auction in any manner
25 deemed appropriate by the county commissioners. The
26 advertisement for electronic auction sales authorized by this
27 subsection shall include the Internet address or means of
28 accessing the electronic auction and the date, time and duration
29 of the electronic auction.

30 (5) The board of county commissioners may reject any bids

1 received if the bids are believed to be less than the fair
2 market value of the property.

3 (d) The provisions of this section shall not be mandatory
4 where county property is to be traded in or exchanged for new
5 personal property. The provisions of this section shall not
6 apply to sale of personal property with real property as a
7 single unit pursuant to section 2306.1.

8 ~~Section 2. This act shall take effect in 60 days.~~ ←

9 SECTION 4. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: ←

10 (1) THE AMENDMENT OR ADDITION OF SECTION 1805(B), (C)
11 AND (D) OF THE ACT SHALL TAKE EFFECT IN 60 DAYS.

12 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
13 IMMEDIATELY.