

No. 149

AN ACT

HB 1706

Amending the act of August 9, 1955 (P.L.323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," reducing certain age requirements.

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

Section 1. Section 413, act of August 9, 1955 (P.L.323), known as "The County Code," added July 10, 1963 (P.L.232), is amended to read:

Section 413. Qualifications of Elected County Officers.—No person shall be elected to any county office, except the office of district attorney otherwise provided for by this act, unless he shall be at least **[twenty-one] *eighteen*** years of age, a citizen of the United States and a resident of the county, and shall have resided within the county for one year next preceding his election.

Section 2. Clause (2) of section 1206 of the act is amended to read:

Section 1206. Deputy Sheriff's Qualifications.—A sheriff shall not appoint any person a chief deputy or any other deputy sheriff unless the sheriff files with the prothonotary, prior to the appointment of such person, the name and photograph of such person, together with an affidavit of such person setting forth the following:

* * *

(2) That he is a citizen of the United States, and **[twenty-one] *eighteen*** years of age or over.

* * *

Section 3. Subsection (a) of section 1401 of the act, amended July 10, 1963 (P.L.232), is amended to read:

Section 1401. District Attorney; Qualifications; Eligibility.—(a) The district attorney shall be a resident of the county, learned in the law, at least **[twenty-one] *eighteen*** years of age, a citizen of the United States and, except as otherwise provided in subsection (b) of this section for counties of the seventh and eighth classes, shall have resided in the county for which he is elected or appointed for two years next preceding his election or appointment.

* * *

Section 4. Clauses (6) and (7) of section 2175 of the act, added September 19, 1961 (P.L.1495), are amended to read:

Section 2175. Settlement.—For the purposes of this subdivision:

* * *

(6) A minor, whether legitimate or illegitimate, cannot be emancipated before age sixteen, and becomes emancipated absolutely at age

[twenty-one] *eighteen*, if then of sufficient mental ability to make a bargain. After age sixteen and before age [twenty-one] *eighteen*, a minor of sufficient mental ability to make a bargain may become emancipated by his own acts or the acts of the parent, stepfather or stepmother having had the custody. When a person is emancipated, he or she is capable of establishing a new settlement.

(7) A minor, whether legitimate or illegitimate, who is so mentally deficient as to be unable to make a bargain cannot be emancipated after age sixteen, and such a person does not become emancipated at age [twenty-one] *eighteen* and so long thereafter, as the mental condition continues. The settlement of such a person shall at all times during mental disability be ascertained as provided in clauses (8) and (9) of this section for the settlement of minors not emancipated.

* * *

APPROVED—The 16th day of June, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 149.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style.

Secretary of the Commonwealth.