

No. 247

AN ACT

To further amend the title of and the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (Pamphlet Laws 951), entitled, as amended, "An act defining and providing for the licensing and regulation of private academic schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," by exempting therefrom schools for the blind, deaf and dumb receiving State appropriations and certain other private schools.

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

Section 1. The title, clause (1) of section 1, and section 2 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (Pamphlet Laws 951), entitled, as amended, "An act defining and providing for the licensing and regulation of private academic schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," as amended by the act, approved the ninth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 997), are hereby further amended to read as follows:

The title, clause (1) of section 1, and section 2, act of June 25, 1947, P. L. 951, as amended by act of May 9, 1949, P. L. 997, further amended.

An Act

Amended title.

Defining and providing for the licensing and regulation of private academic schools; conferring powers and imposing duties on the [Department of Public Instruction] *State Board of Private Academic Schools*; and imposing penalties.

Section 1. The following words and phrases of this act shall have the meanings ascribed to them:

Definitions.

(1) "Private academic school" or "school" shall mean a school maintained, or classes conducted, for the purpose of offering instruction for a consideration, profit or tuition, *to five or more pupils at one and the same time, or to twenty-five or more pupils during any school year*, the purpose of which is to educate an individual generally or specially or to prepare an individual for more advanced study, and shall include all schools engaged in such education, except private trade schools, private business schools, [and] private correspondence schools, *private music schools, private dance schools, private art schools, private dramatic art schools, private schools of charm or poise, private driver training schools, or any type of private school which is non-academic in character.*

"Private academic school" or "school."

Section 2. The provisions of this act shall not apply to colleges, or universities, schools maintained or classes conducted by employers for their own employees where

Act not to apply to certain institutions of learning.

no fee or tuition is charged, schools or classes owned and operated by or under the authority of bona fide religious institutions, or by the Commonwealth of Pennsylvania or any political subdivision thereof, or schools for the blind, deaf and dumb receiving Commonwealth appropriations, or schools accredited by accrediting associations, approved by the State Council of Education, but such schools may choose to apply for a license and, upon approval and issuance thereof, shall be subject to the provisions of this act.

APPROVED—The 19th day of July, A. D. 1951.

JOHN S. FINE

No. 248

AN ACT

Concerning contributions among joint tortfeasors and release of tortfeasors; defining the rights and duties of contribution in such cases; making uniform the law with reference thereto; and repealing inconsistent legislation.

“Uniform Contribution Among Tortfeasors Act.”

Meaning of term “joint tortfeasors.”

Right of contribution.

Effect of recovery of judgment against one joint tortfeasor.

Release by injured person of one joint tortfeasor not a discharge of other tortfeasors unless release so provides.

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

Section 1. For the purpose of this act, the term “joint tortfeasors” means two or more persons jointly or severally liable in tort for the same injury to persons or property, whether or not judgment has been recovered against all or some of them.

Section 2. (1) The right of contribution exists among joint tortfeasors; (2) A joint tortfeasor is not entitled to a money judgment for contribution until he has by payment discharged the common liability or has paid more than his pro rata share thereof; (3) A joint tortfeasor who enters into a settlement with the injured person is not entitled to recover contribution from another joint tortfeasor whose liability to the injured person is not extinguished by the settlement.

Section 3. The recovery of a judgment by the injured person against one joint tortfeasor does not discharge the other joint tortfeasors.

Section 4. A release by the injured person of one joint tortfeasor, whether before or after judgment, does not discharge the other tortfeasors unless the release so provides, but reduces the claim against the other tortfeasors in the amount of the consideration paid for the release or in any amount or proportion by which the release provides that the total claim shall be reduced if greater than the consideration paid.