

No. 461

AN ACT

To amend section one thousand three hundred ten point one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the sale of escheatable property by the Secretary of Revenue.

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

Section 1. Section one thousand three hundred ten point one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every politi-

"The Fiscal Code."

Section 1310.1,
act of April 9,
1929, P. L. 343,
as added by act
of May 9, 1949,
P. L. 1013,
amended.

cal subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as added by the act, approved the ninth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1013), is hereby amended to read as follows:

Section 1310.1. [Conversion of Personal Property Taken Without Escheat.—Any personal property which has heretofore or shall hereafter come into the possession of the Secretary of Revenue without escheat shall, from time to time, be converted into cash, in such manner and under such terms and conditions as may be fixed by the Court of Common Pleas of Dauphin County, upon petition of the Secretary of Revenue. The proceeds of such conversions shall be paid into the State Treasury and shall be subject to being refunded, upon petition to the Board of Finance and Revenue, in the same manner as other like refunds are made.] *Sale of Escheatable Property by the Secretary of Revenue.—Whenever the Secretary of Revenue shall come into the possession of any escheatable property other than cash or real estate, either by escheat or without escheat, it shall be lawful for him to convert such property into cash in the following manner: The Secretary shall, in the best interests of the Commonwealth, determine whether the various items of property shall be sold singly or in lots. He then shall advertise once a week for the period of at least three weeks in three newspapers of general circulation, one in Dauphin County, one in Philadelphia County, and one in Allegheny County, respectively, describing the said property, stating a time at which it shall be available for inspection, and specifying a date at which bids will be received for the sale thereof. Upon receipt of one or more bids, the Secretary shall sell said property to the highest bidder, but the Secretary may decline to accept any or all bids for the reason that he deems them to be inadequate. Upon the sale of such property the purchaser shall take an absolute title, and should the property consist of registered securities, the person, partnership or corporation issuing the same shall make a proper transfer on its books. The proceeds of such sale shall be paid into the State Treasury. If the property in question comes into the possession of the Secretary of Revenue without escheat, the proceeds from the sale thereof shall be subject to refund in conformity with the provisions of the act, approved the sixteenth day of May, one thousand nine hundred nineteen (Pam-*

phlet Laws 177), entitled "An act providing for the payment into the State Treasury, without escheat, of certain moneys and property, subject to escheat under the provisions of any act of the General Assembly; and for the refund thereof with interest to persons entitled thereto, and making an appropriation for such refund," its amendments and supplements, but any money paid into the State Treasury in any such case shall be paid into it through the Department of Revenue.

APPROVED—The 22nd day of December, A. D. 1951.

JOHN S. FINE

No. 462

AN ACT

To further amend the act, approved the fourth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by further defining "final salary"; authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers, and providing for minimum retirement allowance in certain cases.

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

Section 1. Section 1 of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties", as last amended by the act, approved the fifteenth day of May, one thousand nine hundred forty-five (Pamphlet Laws 524), and the act, approved the eighteenth day of May, one thousand nine hundred forty-five (Pamphlet Laws 688), is hereby further amended to read as follows:

Section 1. Be it enacted, &c., That the following words and phrases, as used in this act, shall be construed to have the following meanings:

"Board," the county retirement board created by this act.

"County Employe," any person whether elected or appointed, who is employed by the county, by the county institution district or its predecessor the county poor board, or any independent poor district thereof and employed by the county, by the county prison authorities, by the county house of detention authorities, or by

Third class
counties employes
retirement
system.

Section 1, act of
June 4, 1937,
P. L. 1625, as
last amended by
act of May 15,
1945, P. L. 524,
and act of May
18, 1945, P. L.
688, further
amended.

Definitions.