

No. 437
AN ACT

HB 194

Amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," removing limitations on the accumulation and use of sick leave.

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

Section 1. Subsection (a) of section 1154, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," amended December 22, 1965 (P. L. 1180), is amended to read:

Section 1154. Payment of Salaries in Cases of Sickness, Injury or Death.—(a) In any school year whenever a professional or temporary professional employe is prevented by illness or accidental injury from following his or her occupation, the school district shall pay to said employe for each day of absence the full salary to which the employe may be entitled as if said employe were actually engaged in the performance of duty for a period of ten days. [Such] Any such unused leave shall be cumulative from year to year [but shall not exceed thirty (30) days leave with full pay in any one year] in the school district of current employment or its predecessors without limitation. All or any part of such accumulated unused leave may be taken with full pay in any one or more school years. No employe's salary shall be paid if the accidental injury is incurred while the employe is engaged in remunerative work unrelated to school duties.

Whenever the boards of school directors of two or more school districts may establish any joint elementary public school, high school or department, or whenever two or more school districts shall merge or form a union school district or administrative unit in accordance with the provisions of sections 291, 292, 293, 294, 295, 296 and 297 of this act, the professional or temporary professional employes employed by the several boards of school directors establishing such joint school or department or merged or union school district or administrative unit shall be entitled to the sick leave accumulated in the individual school districts subsequently establishing such joint school or department or merged or union school district or administrative unit.

The board of school directors may require the employe to furnish a certificate from a physician or other practitioner certifying that said employe was unable to perform his or her duties during the period of

absence for which compensation is required to be paid under this section.

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Section 2. This act shall take effect immediately.

APPROVED—The 19th day of January, A. D. 1968.

RAYMOND P. SHAFER

No. 438

AN ACT

HB 923

To provide in cities of the first class for the allowance of compensation to counsel assigned to represent a defendant charged with a non-capital indictable offense and reimbursement for necessary expenses reasonably incurred.

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

Section 1. Counsel, not exceeding one, who has been assigned for a defendant charged with a non-capital indictable offense, or who has been assigned to represent an individual in any post-conviction proceedings or a juvenile formally charged with delinquency, shall, at the conclusion of the representation, or any segment thereof, be compensated for his services in such representation and reimbursed for all reasonable expenses advanced by him and which were necessarily incurred. Any claim for compensation and reimbursement shall be contained in a sworn statement presented to the trial judge sitting at the trial, if there is a trial; otherwise, to any judge sitting in the courts of quarter sessions or oyer and terminer. Each claim shall specify the nature of the case, itemize the time expended, a description of the services rendered, the expenses incurred, and the compensation and reimbursement applied for. The judge shall fix the compensation and reimbursement to be paid to the attorney so assigned. Counsel shall be compensated at a rate not exceeding twenty-five dollars (\$25) per hour for time expenses in a court of record or before a committing magistrate and at the rate of fifteen dollars (\$15) per hour for time reasonably expended out of court. For representation of a defendant in a case in which one or more felonies are charged, the compensation paid to an attorney shall not exceed eight hundred dollars (\$800), and five hundred dollars (\$500) in a post-conviction case or a case in which only misdemeanors or juvenile delinquencies are charged. Payment in excess of the limits stated herein may only be made, if the court to whom the application is made certifies to the administrative judge that because of extra-