

No. 252

AN ACT

HB 1163

Amending the act of August 9, 1955 (P.L.323, No.130), 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," authorizing the storing of certain public records at a location other than the county seat.

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

Section 1. Section 405, act of August 9, 1955 (P.L.323, No.130), known as "The County Code," is amended to read:

Section 405. **Location of Offices, Records and Papers [to be Kept at County Seat].**—(a) The commissioners, auditors, controller, treasurer, sheriff, recorder of deeds, prothonotary, clerk of courts of quarter sessions and oyer and terminer, clerk of orphans' court, register of wills, recorder of deeds and district attorney shall keep their respective offices, and all public records and papers belonging thereto, at the county seat, and in such buildings as may be erected or appropriated for such purpose. *The county commissioners shall have the power to keep and maintain records and to contract with persons, for storage, retrieval, and transmission of county records within or outside the county except that no records shall be stored outside the county seat without the approval of the president judge and the officer in charge of the office to which the records belong. Public records stored outside of the county seat shall be made accessible to the general public at the county seat by means of an electronic telecopying system or facility which will permit the retrieval of the records or exact copies thereof within three business days.*

County records used on a regular or frequent basis shall remain in the county seat.

(b) The county commissioners shall furnish each of such officers with an office in the county building, court house or other building at the county seat.

(c) Any person failing or refusing to maintain his office and to keep all public records and papers belonging thereto in the buildings appropriated for such purpose in accordance with the provisions of this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to undergo imprisonment until he complies with the provisions of this section, or until sooner discharged by order of the court, and to pay a fine not exceeding five hundred dollars (\$500), to be paid to the use of the county.

Section 2. This act shall take effect immediately.

APPROVED—The 17th day of October, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 252.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "T" at the end.

Secretary of the Commonwealth.