

No. 258

AN ACT

HB 2389

Amending the act of August 14, 1963 (P.L.839, No.407), entitled, as amended, "An act creating a county records committee; imposing powers and duties upon it; authorizing the Pennsylvania Historical and Museum Commission to assist and cooperate with it; defining county records; and authorizing the disposition of certain county records by county officers in counties of the second A and third to eighth class," including counties of the second class, increasing the membership of the committee and providing for a chairman and for meetings of the committee.

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

Section 1. The title and sections 1, 3 and 4, act of August 14, 1963 (P.L.839, No.407), entitled, as amended, "An act creating a county records committee; imposing powers and duties upon it; authorizing the Pennsylvania Historical and Museum Commission to assist and cooperate with it; defining county records; and authorizing the disposition of certain county records by county officers in counties of the second A and third to eighth class," amended November 22, 1968 (P.L.1083, No.335), are amended to read:

AN ACT

Creating a county records committee; imposing powers and duties upon it; authorizing the Pennsylvania Historical and Museum Commission to assist and cooperate with it; defining county records; and authorizing the disposition of certain county records by county officers in counties of the **[second A and third] second** to eighth class.

Section 1. There is hereby created a county records committee which shall consist of **[thirteen] fifteen** members who shall be appointed by the Governor for a term of four years. One member of the committee shall be the Chief Justice of the Pennsylvania Supreme Court, or his judicial representative, one a representative of the Pennsylvania Historical and Museum Commission, one an attorney, one a prothonotary, one a clerk of courts, one a county commissioner, one a county controller or auditor, one a district attorney, one a county treasurer, one a sheriff, one a register of wills, one a recorder of deeds, **one a jury commissioner, one a coroner**, and the other a member of the general public. **The committee shall select one of its members to serve as chairman.** Within the means at its command, the Pennsylvania Historical and Museum Commission shall assist and cooperate with the county records committee by providing for its necessary expenses, by providing for examining and inventorying county records for the preparation of schedules, and by enforcing such schedules as the county

records committee may make or revise under the provisions of this act.

Section 3. It shall be the duty of the committee to meet **[from time to time] at least once a year** to make or revise schedules setting forth the conditions under which county records filed in any office of county government may be disposed of, either with or without microfilming, but the schedules shall distinguish clearly between records of temporary value and records of permanent value, and no schedule shall be made or revised which will permit the destruction of county records of permanent value unless the same are microfilmed. If the said records are no longer in active use but have value for historical research, the county records committee may authorize their disposition by transfer to the Pennsylvania Historical and Museum Commission or to other depositories designated by the commission. *Meetings of the committee shall be called by the Executive Director of the Pennsylvania Historical and Museum Commission; however, meetings may also be called by the chairman or by a majority of the members of the committee whenever the chairman or the majority of members deems it necessary.*

Section 4. County officers in counties of the *second*, second A, third, fourth, fifth, sixth, seventh and eighth class may dispose of all county records in their custody, provided they follow the schedules prescribed by the county records committee which is created under the provisions of this act, and provided that the Pennsylvania Historical and Museum Commission, through its executive director, certifies that such disposal is in accordance with the established schedules.

Section 2. This act shall take effect in 60 days.

APPROVED—The 23rd day of November, A. D. 1976.

MILTON J. SHAPP