

No. 1985-44

AN ACT

HB 666

Amending the act of July 9, 1976 (P.L.586, No.142), entitled "An act amending Titles 42 (Judiciary and Judicial Procedure), 15 (Corporations and Unincorporated Associations), 18 (Crimes and Offenses) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to judiciary and judicial procedure, including certain judicially enforceable rights, duties, immunities and liabilities and separately enacting certain related provisions of law," further providing for fees charged by the office of the prothonotary of the court of common pleas of counties of the first class and for fees for public law libraries in counties of the second class A.

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

Section 1. Section 24(d) of the act of July 9, 1976 (P.L.586, No.142), known as the Judiciary Act of 1976, amended December 5, 1980 (P.L.1108, No.191), is amended to read:

Section 24. Financial matters.—* * *

(d) Philadelphia Law Library.—Until otherwise provided by statute, in every county of the first class:

(1) There shall be charged and set apart by the officer receiving the fees fixed under 42 Pa.C.S. § 1725 and remitted monthly to the treasurer of the bar association or other nonprofit corporation operating the public law library of such county an amount equal to ~~[10%]~~ 20% of the filing fees at the time in effect for the probate of wills, the issue of letters testamentary, the issue of letters of administration and the filing of accounts with the register of wills, the filing of accounts of trustees and guardians in the court of common pleas of the county and of all filings in the office of the prothonotary of the county.

(2) The provisions of paragraph (1) shall not apply to any actions taken or initiated by any political subdivision.

(3) The written receipt for said moneys of the treasurer of such bar association or nonprofit corporation, as the case may be, shall be the only legal discharge of such officer.

(4) The Department of General Services shall annually, and free of charge, distribute to the treasurer of each bar association or nonprofit corporation, as the case may be, for the use of its library, 60 copies of the Laws of Pennsylvania for the purpose of enabling the said library to exchange a copy of the said laws for a copy of similar publications of other states and of the territories of the United States of America.

* * *

Section 2. Section 24 of the act is amended by adding a subsection to read:

Section 24. Financial matters.—* * *

(e.1) Second class A county law libraries.—Until otherwise provided by statute, the prothonotary, the register of wills and the clerk of the court of all counties of the second class A shall set apart from the fees fixed by law and collected by them on the following actions and proceedings, and remit monthly the total collected to the county treasurer for the exclusive use and benefit of the public law library in the county, if the county commissioners so request and in the amount they so request:

(1) The sum of not less than \$5, nor more than \$40, for the commencement of any civil action or proceeding.

(2) The sum of not less than \$5, nor more than \$40, for the probate of a will, the issuance of letters of administration or any petition for disposition of decedents estates independent of the issuance of letters testamentary or of administration.

(3) The sum of not less than \$5, nor more than \$40, for each misdemeanor or felony case processed by the clerk of courts.

Section 3. Notwithstanding the provisions of laws requiring that the fees be established at the beginning of each year for the year 1985, new fees may be established upon the effective date of this act.

Section 4. (a) Sections 2 and 3 shall take effect in 20 days.

(b) The remainder of this act shall take effect immediately.

APPROVED—The 3rd day of July, A. D. 1985.

DICK THORNBURGH