

No. 1998-10

## AN ACT

HB 1065

Amending the act of February 9, 1984 (P.L.3, No.2), entitled "An act providing for the education and training of deputy sheriffs; creating the Deputy Sheriffs' Education and Training Board under the Pennsylvania Commission on Crime and Delinquency; providing for the powers and duties of the board and the Attorney General; establishing the Deputy Sheriffs' Education and Training Account; providing for a surcharge on sheriffs' fees; and providing penalties," further providing for training requirement, for the Deputy Sheriffs' Education and Training Board and for the Deputy Sheriffs' Education and Training Account.

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

Section 1. Section 3(b) of the act of February 9, 1984 (P.L.3, No.2), known as the Deputy Sheriffs' Education and Training Act, amended June 15, 1994 (P.L.262, No.43), is amended to read:

Section 3. The Deputy Sheriffs' Education and Training Board.

\* \* \*

(b) Composition.—The board shall be composed of **[nine] ten** members as follows:

- (1) The Attorney General.
- (2) Two judges of the courts of common pleas from different counties.
- (3) Two sheriffs or chief deputies from different counties with a minimum of six years experience as a sheriff or chief deputy.
- (4) Three individuals from different counties with a minimum of eight years experience each as a deputy sheriff. One of the three shall be currently employed in the capacity of deputy sheriff with the rank of sergeant or deputy sheriff.
- (5) One educator qualified in the field of curriculum design.
- (6) *One county commissioner.*

\* \* \*

Section 2. Sections 5 and 6 of the act are amended to read:

Section 5. Training program.

The Deputy Sheriffs' Education and Training Program shall include appropriate training for **[a total of] not less than** 160 hours which content *and hours of instruction* shall be determined by **[regulation] the board subject to the review and approval of the commission.**

Section 6. Continuing education.

The board, with the review and approval of the commission, shall establish a continuing education program for all deputy sheriffs, which shall include not less than **[16 nor more than]** 20 hours of continuing education every two

years, concerning subjects the board may deem necessary and appropriate for the continued education and training of deputy sheriffs.

Section 3. Section 8(b) and (b.1) of the act, amended June 15, 1994 (P.L.262, No.43), are amended to read:

Section 8. Deputy Sheriffs' Education and Training Account.

\* \* \*

(b) Surcharge.—There is hereby assessed a surcharge [of \$2] on each fee collected by the sheriff of every county upon acceptance for each service required for any complaint, summons, writ or other legal paper required to be served or posted by the sheriff. *Surcharges shall be assessed as follows:*

(1) *Beginning January 1, 1998, through December 31, 1998, the surcharge shall be \$6.*

(2) *Beginning January 1, 1999, through December 31, 1999, the surcharge shall be \$8.*

(3) *Beginning January 1, 2000, and thereafter, the surcharge shall be \$10.*

(b.1) Surcharge in counties of first and second class.—In counties of the first and second class, a [\$2.25] surcharge shall be collected by the prothonotary of that county for each defendant named in a document filed to commence an action pursuant to Pa.R.C.P. No.1007, except when service is made by a competent adult in the actions listed in Pa.R.C.P. Nos.400(b) and 400.1(c). [Ten percent] *One dollar* of the surcharge shall be retained by the prothonotary to cover administrative costs incurred by collecting the surcharge and to support any technology and automation improvements or upgrades for the prothonotary, and the balance shall be transmitted semiannually to the State Treasurer for deposit into the account. *Surcharges shall be assessed as follows:*

(1) *Beginning January 1, 1998, through December 31, 1998, the surcharge shall be \$7.*

(2) *Beginning January 1, 1999, through December 31, 1999, the surcharge shall be \$9.*

(3) *Beginning January 1, 2000, and thereafter, the surcharge shall be \$11.*

\* \* \*

Section 4. This act shall take effect as follows:

(1) The amendment of section 8(b) and (b.1) of the act shall take effect January 1, 1998.

(2) The amendment of sections 5 and 6 of the act shall take effect upon publication in the Pennsylvania Bulletin of notice that the training program under section 5 of the act and the continuing education program under section 6 of the act have been developed and implemented.

(3) This section shall take effect immediately.

APPROVED—The 29th day of January, A.D. 1998.

THOMAS J. RIDGE