

No. 2011-55

AN ACT

HB 1549

Amending the act of August 9, 1955 (P.L.323, No.130), entitled, as amended, "An act relating to counties of the first, third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto; relating to imposition of excise taxes by counties, including authorizing imposition of an excise tax on the rental of motor vehicles by counties of the first class; and providing for regional renaissance initiatives," in names and corporate powers and classification of counties, further providing for counties divided into nine classes; and, in prothonotary, clerks of court, clerk of orphan's court, register of wills, recorder of deeds, further providing for how offices to be held.

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

Section 1. Section 210 of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, amended December 17, 2001 (P.L.919, No.107), is amended to read:

Section 210. Counties Divided Into Nine Classes.—For the purposes of legislation and the regulation of their affairs, counties of this Commonwealth, now in existence and those hereafter created, shall be divided into nine classes as follows:

(1) First Class Counties, those having a population of 1,500,000 inhabitants and over.

(2) Second Class Counties, those having a population of 800,000 and more but less than 1,500,000 inhabitants.

(2.1) Second Class A Counties, those having a population of 500,000 and more but less than 800,000 inhabitants.

(3) Third Class Counties, those having a population of 210,000 and more but less than 500,000 inhabitants.

(4) Fourth Class Counties, those having a population of 145,000 and more but less than 210,000 inhabitants.

(5) Fifth Class Counties, those having a population of **[95,000]** ~~90,000~~ and more but less than 145,000 inhabitants.

(6) Sixth Class Counties, those having a population of 45,000 and more but less than **[95,000]** ~~90,000~~ inhabitants and those having a population of 35,000 and more but less than 45,000 inhabitants which by ordinance or resolution of the Board of County Commissioners elect to be a county of the sixth class.

(7) Seventh Class Counties, those having a population of 20,000 or more but less than 45,000 inhabitants and those having a population of 35,000 and more but less than 45,000 inhabitants which have not elected to be a county of the sixth class.

(8) Eighth Class Counties, those having a population of less than 20,000 inhabitants.

Section 2. Section 1302 of the act is amended by adding a subsection to read:

Section 1302. How Offices to Be Held.—* * *

(a.1) Notwithstanding subsection (a) or any other law, a county advancing from the fifth to fourth class as a result of census figures certified after the primary election in the year of a municipal election shall maintain the configuration of offices in effect in the county until the year in which the offices are next up for election, at which time offices in the county shall be held in accordance with subsection (a) or any other general law applicable to the holding of offices and to the classification of the county.

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Section 3. This act shall take effect in 60 days.

APPROVED—The 7th day of July, A.D. 2011

TOM CORBETT