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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. **707** Session of  
1961

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MESSRS. DEVLIN, RIPP, SARRAF AND SESLER, IN PLACE,  
MAY 31, 1961.

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AS AMENDED ON THIRD READING, JULY 10, 1961.

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AN ACT

Amending the act of May 24 1945 (P L 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Com-

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

monwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" prohibiting the use of certain names

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

1 Section 1 Section 1 act of May 24 1945 (P L 967) entitled "An  
2 act making it unlawful for any individual or individuals to carry on  
3 any business under an assumed or fictitious name style or designation  
4 unless upon advertisement and the filing of an application to that effect  
5 in the office of the Secretary of the Commonwealth and of the pro-  
6 thonotary requiring nonresident applicants to have a resident agent  
7 prescribing the effect of failure to file such application providing that  
8 certificates of the Secretary of the Commonwealth shall be admitted  
9 in evidence requiring county commissioners at the expense of the county  
10 to provide books or other means of reproduction for the entry of such  
11 applications requiring the cancellation of such application or the with-

1 drawal from the business providing methods therefor fixing the fees of  
2 the Secretary of the Commonwealth and prothonotary and providing  
3 penalties" amended September 23 1959 (P L 936) is amended to read

4       Section 1 (a) No individual or individuals shall hereafter carry on  
5 or conduct any business in this Commonwealth under any assumed or  
6 fictitious name style or designation unless the person or persons con-  
7 ducting or carrying on the same shall have first filed in the office of  
8 the Secretary of the Commonwealth and in the office of the protho-  
9 tary in the county wherein the principal place of business is located to  
10 be entered in a book provided for that purpose or to be entered or re-  
11 corded by microfilming or other photographic process an application  
12 under oath and signed by such person or persons setting forth the real  
13 name or names and the residences including number and street if any  
14 of all the persons owning or interested in said business the name style  
15 or designation under which said business is being or will be carried on  
16 or conducted a brief statement concerning the character or nature of  
17 said business and the location of the principal office or place of business  
18 including number and street if any For the purposes of this act the  
19 term "business" shall not include any nonprofit or professional activities  
20 or such other activities as are expressly or impliedly prohibited by the

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1 statutes of this Commonwealth from being carried on under a fictitious  
2 name

3 (b) No fictitious name shall be registered by the Secretary of the  
4 Commonwealth if it contains the word "hospital" "clinic" "sanitarium"  
5 "nursing home" or "convalescent home" unless the use of such name  
6 shall have been first approved by the Department of Public Welfare  
7 but this provision shall not apply to a ~~corporate~~ FICTITIOUS name  
8 which plainly reveals that it applies to a veterinary or animal hospital

We certify that this bill has passed the Senate and the House of  
Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

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Governor