

No. 41

AN ACT

HB 723

Amending the act of July 28, 1953 (P.L.723, No.230), entitled, as amended, "An act relating to counties of the second class and second class A; amending, revising, consolidating and changing the laws relating thereto," authorizing the chief deputy coroner to act as the coroner and the chief deputy sheriff to act as sheriff in cases of vacancies in the offices of coroner or sheriff.

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

Section 1. Subsection (a) of section 408, and sections 1214, 1231 and 1247, act of July 28, 1953 (P.L.723, No.230), known as the "Second Class County Code," are amended to read:

Section 408. Deputies to Act in Certain Cases.—(a) Whenever any county officer is authorized or required to appoint a deputy or deputies, such deputy, or principal deputy where there are more than one, shall, during the necessary or temporary absence of his principal, perform all the duties of such principal, and also, in case of a vacancy, until a successor is qualified [**except in the case of a vacancy in the office of sheriff, where the coroner shall act, as hereinafter provided, and except also in the case of a vacancy in the office of coroner, where the sheriff shall act, as hereinafter provided**].

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Section 1214. **Chief Deputy Sheriff to Act as [Coroner] Sheriff** in Case of a Vacancy.—If the [coroner] **sheriff** shall be legally removed from his office, or shall die before the expiration of the term for which he was commissioned, the **chief deputy** sheriff of the county shall execute the office of [coroner] **sheriff** and perform all things thereunto appertaining **and receive the compensation provided by law for sheriffs** until another [coroner] **sheriff** is commissioned and notice thereof is given to such **chief deputy** sheriff.

Section 1231. Deputies.—The coroner **shall appoint a chief deputy and** may appoint one or more deputies to act in his place and stead, as he may deem proper and necessary. Such deputy or deputies shall have the same powers as the coroner.

Section 1247. **Chief Deputy Coroner to Act as [Sheriff] Coroner** in Case of Vacancy.—If the [sheriff] **coroner** shall be legally removed from his office or shall die or resign before expiration of the term for which he was commissioned, the **chief deputy** coroner of the county shall execute the office of [sheriff] **coroner** and perform all things thereunto appertaining **and receive the compensation provided by law for**

coroners until another [sheriff] *coroner* is commissioned and notice thereof is given to such *chief deputy* coroner.

APPROVED—The 16th day of July, A. D. 1975.

MILTON J. SHAPP