

shall not thereafter change the same, unless with the assent of the stockholders duly expressed at a meeting properly called. All laws or parts of laws inconsistent herewith are hereby repealed.

Section 2. This act shall take effect immediately.

APPROVED—The 8th day of September, A. D. 1959.

DAVID L. LAWRENCE

Repeal.

Act effective immediately.

No. 320

AN ACT

Amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

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

Section 1. Section 602, act of May 21, 1943 (P. L. 571), known as "The Fourth to Eighth Class County Assessment Law," amended May 17, 1957 (P. L. 150), is amended to read:

The Fourth to Eighth Class County Assessment Law.

Section 602, act of May 21, 1943, P. L. 571, amended May 17, 1957, P. L. 150, further amended.

Section 602. Valuation of Persons and Property.—
(a) It shall be the duty of the chief assessor to assess, rate and value all subjects and objects of local taxation, whether for county, township, town, school (except in cities), county institution district, poor or borough purposes, according to the actual value thereof, and in the case of subjects and objects of local taxation other than real property at such rates and prices for which the same would separately bona fide sell. After there has been established and completed for the entire county the permanent system of records consisting of tax maps, property record cards and property owner's index, as

required by section three hundred six of the act herein amended, real property shall be assessed at a value based upon an established predetermined ratio, of which proper notice shall be given, not exceeding seventy-five per centum (75%) of its actual value or the price for which the same would separately bona fide sell. In arriving at such value, the price at which any property may actually have been sold shall be considered, but shall not be controlling. Instead, such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within the county. After the completion of the permanent system of records for the county, when assessing real property, the chief assessor shall also take into consideration the value of such property as indicated by the use of the permanent system of records, cost charts and land values applied on the basis of zones and districts as well as the general adherence to the established predetermined ratio.

(b) After any county has established and completed, for the entire county, the permanent system of records consisting of tax maps, property record cards and property owner's index as required by section 306 of the act herein amended, and has made its first county assessment of real property under that system and at values based upon an established predetermined ratio as required by this section, each political subdivision, which hereafter for the first time levies its real estate taxes on that first assessment or valuation, shall, for that first year, reduce its tax rate, if necessary, for the purpose of having the total amount of taxes levied for that year against the real properties contained in the duplicate for the preceding year, equal, in the case of a school district, not more than one hundred and ten per centum, and in the case of any other taxing district, not more than one hundred and five per centum of the total amount it levied on such properties the preceding year, notwithstanding the increased valuations of such properties under the new assessment system. For the purpose of determining the total amount of taxes to be levied for said first year, the amount to be levied on newly constructed buildings or structures or on increased valuations based on new improvements made to existing houses need not be considered. The tax rate shall be fixed for that year at a figure which will accomplish this purpose. With the approval of the court of common pleas, upon good cause shown, any such political subdivision may increase the tax rate herein prescribed, notwithstanding the provisions of this paragraph.

(c) *Whenever any county makes its first county assessments for taxation purposes in the entire county from valuations made with the use of the permanent*

system of records, consisting of tax maps, property record cards and property owner's index, as required by section 306 of the act herein amended, and such assessments or valuations are sufficiently completed so that, on or before June 15th in the year 1959, notice has been given in the manner provided by the act herein amended to each owner of property whose valuation or assessment has been changed from the valuation or assessment of the previous year, every taxing body or taxing district in the county which uses county assessments for taxation purposes shall levy its taxes for that year on the new assessments and not on the assessments made for the previous year, and, where necessary, shall amend and revise any levy previously made for that year in order to comply with this provision, notwithstanding any other provisions of law requiring tax levies to be made at certain prescribed times.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 8th day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 321

AN ACT

Amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," further regulating the investment of borough funds.

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

The Borough Code.

Section 1. Clause VI. of section 1005, act of May 4, 1927 (P. L. 519), known as "The Borough Code," reenacted and amended July 10, 1947 (P. L. 1621) and amended July 19, 1951 (P. L. 1026), is amended to read:

Clause VI., section 1005, act of May 4, 1927, P. L. 519, reenacted and amended July 10, 1947, P. L. 1621, and amended July 19, 1951, P. L. 1026, further amended.

Section 1005. Powers of Council.—The council of the borough shall have power:

* * * * *

VI. To make temporary investment (1) of borough [funds, whether they be general, special or] sinking [fund] funds in bonds of the Federal Government, the Commonwealth of Pennsylvania, the bonds of the borough, or in any other securities authorized by law for the investment of sinking funds of municipalities,