

psychiatrist at any municipally-owned hospital or institution shall be admissible in evidence as to the condition of an inmate of such hospital in lieu of his appearance and testimony, unless by special order, the court directs his appearance and testimony in person.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 396

AN ACT

Amending the act of May 5, 1933 (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," providing for the expiration of registered names if the corporation is not formed within one year from the date of registration, and deleting the proof of advertisement as a requirement for the granting of a certificate of authority to a foreign nonprofit corporation.

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

Nonprofit Corporation Law.

Section 1. Section 204, act of May 5, 1933 (P. L. 289), known as the "Nonprofit Corporation Law," amended July 11, 1957 (P. L. 692), is amended to read:

Section 204, act of May 5, 1933, P. L. 289, amended July 11, 1957, P. L. 692, further amended.

Section 204. Registration of Corporate Name.—The incorporators shall make application to the Department of State for the registration of the proposed corporate name. The application shall set forth the name which the incorporators desire to use, the address including street and number, if any, of the proposed registered office of the corporation and it shall be signed by at least five incorporators. If the Department of State finds that the proposed name is available for corporate use, the department shall register the name, and shall issue to the incorporators a certificate that the proposed name has been duly registered. If the proposed name is not available for corporate use, the department shall refuse to

register such name, and shall forthwith notify the incorporators of this fact. The Department of State shall keep a properly indexed record of the registrations and cancellations of registrations provided for in this act. *If any incorporators shall have registered a name with the department and the corporation is not formed within one year from the date of such registration, such registration shall automatically expire and be void, and the department shall cancel the registration of such name. Whenever the registration of a corporate name shall have expired, the incorporators shall be required to make application for another registration of such corporate name in the manner provided for the original registration of such name.*

Section 210 of the act, amended June 20, 1947, P. L. 642, further amended.

Section 2. Section 210 of the act, amended June 20, 1947 (P. L. 642), is amended to read:

Section 210. Prothonotary to Make Monthly Report to Department of State.—The prothonotary of each court of common pleas shall, on or before the tenth day of each month, report to the Department of State the name, the address of the registered office, and the date of incorporation of each nonprofit corporation incorporated by the court during the preceding month, and for so doing shall receive a fee of one dollar (\$1.00) from each corporation, which shall be taxed as part of the prothonotary's filing fee. The Department of State shall note after the registered name of each corporation the date of its incorporation. [If any incorporators shall have registered a name with the department, and the corporation is not formed within six months from the date of such registration, such registration shall automatically expire and be void, and the department shall cancel the registration of such name. Whenever the registration of a corporate name shall have expired the incorporators shall be required to make application for another registration of such corporate name in the manner provided for the original registration of such name.]

First paragraph, section 904 of the act, amended July 11, 1957, P. L. 692, further amended.

Section 3. The first paragraph of section 904 of the act, amended July 11, 1957 (P. L. 692), is amended to read:

Section 904. Application for a Certificate of Authority.—The foreign nonprofit corporation, or its representative, shall deliver to the Department of State [proof of the advertisement heretofore required by this article, and] an application for a certificate of authority, executed under the seal of the corporation, and signed and verified by at least two duly authorized officers thereof, which shall set forth:

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APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE