

by the repealing law, the earlier law shall be construed as continued in active operation, and a reference to the earlier law in any other law shall be construed as a reference to the repealing law. All rights and liabilities incurred under such earlier law are preserved and may be enforced.

Act effective immediately.

Section 3. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 27th day of May, A. D. 1953.

JOHN S. FINE

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No. 33

AN ACT

To amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (Pamphlet Laws 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes," by clarifying the effect of amendments upon each other and extending the same to previous enactments.

"Statutory Construction Act."

Sections 74, 75 and 77, act of May 28, 1937, P. L. 1019, amended.

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

Section 1. Sections 74, 75 and 77 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (Pamphlet Laws 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes," are hereby amended to read as follows:

Section 74. Merger of Subsequent Amendments.—Whenever a law has been more than once amended, the latest amendment shall be read into the original law as previously amended and not into such law as originally enacted. *This rule applies whether or not the previous amendment is referred to and whether or not its*

*language is incorporated in the latest amendment. If the insertions in and the deletions from the law made by the previous amendment are not incorporated in the later, they shall nevertheless be read into the later amendment as though they had in fact been incorporated therein.*

Section 75. Two or More Amendments to Same Provision, One Overlooking the Other.—Whenever two or more amendments to the same provision of a law are enacted at the same or different sessions, one amendment overlooking and making no reference to the other or others, [the amendments shall be construed together, if possible, and effect be given to each. If the amendments be irreconcilable,] *the changes in the law made by each shall be given effect and all the amendments shall be read into each other. If the changes made in the law are to any extent in direct conflict with each other, the latest in date of final enactment shall prevail, to the extent of the direct conflict, from the time it becomes effective. The fact that a later amendment (i) restates language of the original act which was deleted by an earlier amendment, or (ii) fails to restate language inserted by an earlier amendment, does not of itself create a conflict between the two amendments. Amendments are in conflict with each other only if the changes in the law made by each without considering the inserts and strike-outs of the other cannot be put into operation simultaneously.*

Section 77. Ineffective Provisions Not Revived by Re-enactment in Amendatory Laws; Exception.—Provisions of a law no longer effective *because of having been deleted by an earlier amendment or otherwise* shall not be construed as being revived by re-enactment in an amendatory law, unless it shall clearly appear *by notice thereof in the title of the amendatory law* that the Legislature intended to revive such provisions.

Section 2. The provisions of the foregoing amendments being intended as a clarification of existing law, shall apply to all acts of assembly heretofore enacted as well as to those hereafter enacted. The provisions of this section shall not affect any matter heretofore finally adjudicated by any court of this Commonwealth.

Applicability of act.

Section 3. The provisions of this act shall become effective immediately upon final enactment.

Act effective immediately.

APPROVED—The 27th day of May, A. D. 1953.

JOHN S. FINE