

No. 364

AN ACT

Amending the act of June three, one thousand nine hundred thirty-seven (Pamphlet Laws 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," regulating refund of fees, fines or other moneys erroneously or unjustly collected and deposited, and appropriating moneys from the Game Fund for the refund of fees, fines or other moneys unjustly collected.

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

The Game Law.

Section 1. Section one thousand two hundred twelve, act of June three, one thousand nine hundred thirty-seven (Pamphlet Laws 1225), known as "The Game Law," amended July twenty-seven, one thousand nine hundred fifty-five (Act No. 103) is amended to read:

Section 1212, act of June 3, 1937, P. L. 1225, amended July 27, 1955, P. L. 287, Act No. 103, further amended.

Section 1212. Return of Fees, Fines, or other Moneys Erroneously or Unjustly Paid into Treasury.—Whenever the commission is satisfied that any fee, fine, or any other moneys paid into the State Treasury under any of the provisions of this act, or any act superseded by it, were, erroneously or unjustly, collected and deposited, the commission, within [twelve months] *six years* after such deposit, may, by resolution, authorize the director to draw a requisition upon the Game Fund, for the amount involved. Upon receipt of such requisition and an extract of the minutes of the commission, the Auditor General shall draw his warrant upon the State Treasurer in favor of the person from whom such fee, fine, or other money was, erroneously or unjustly, collected.

[The twelve month limitation period hereinbefore prescribed, shall not apply to moneys erroneously or unjustly paid into the State Treasury for hunting license fees by former county treasurers, subsequent to the thirty-first day of December, one thousand nine hundred thirty-four, if the return of such fees was requested of the Commonwealth within six months after their payment into the State Treasury.]

Section 2. Clause (q) of section one thousand four hundred one of the act is amended to read:

Clause (q), section 1401, act of June 3, 1937, P. L. 1225, amended.

Section 1401. Continuance of Game Fund; Appropriation.—All license fees, fines, permit fees, and other moneys received and collected (a) under the provisions of any law repealed and replaced by this act, and now held in the State Treasury as the Game Fund, or (b) that may be hereafter paid into the State Treasury under

the provisions of any act so repealed or replaced, or (c) that may be paid into the State Treasury under the provisions of this act, shall be placed in the separate fund known as "The Game Fund," and shall be held separately and apart solely for the following purposes:

* * * * *

(q) For the refund of fees, fines, or other moneys, erroneously or unjustly collected and deposited;

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APPROVED—The 28th day of February, A. D. 1956.

GEORGE M. LEADER

No. 365

AN ACT

Amending the act of June ten, one thousand eight hundred ninety-seven (Pamphlet Laws 139, No. 115), entitled "An act to limit the period of time within which suits may be brought against sureties of constables," providing that suits on constables' bonds shall be brought within six years from time at which cause of action arose.

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

Section 1. Section one, act of June ten, one thousand eight hundred ninety-seven (Pamphlet Laws 139, No. 115), entitled "An act to limit the period of time within which suits may be brought against sureties of constables," is amended to read:

Section 1. Be it enacted, &c., That suits against sureties [in constables bond] *on constables' bonds* shall not be sustained, unless the same *shall* be instituted within [five] *six* years [after the date of such bond or obligation] *to be computed from the time at which the cause of action shall have accrued.*

Section 2. This act shall take effect immediately.

APPROVED—The 28th day of February, A. D. 1956.

GEORGE M. LEADER