

## No. 212

## AN ACT

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting certain business activities on Sunday.

## The Penal Code.

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

Act of June 24, 1939, P. L. 872, amended by adding a new section 699.10.

Section 1. The act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended by adding, after section 699.9, a new section to read:

*Section 699.10. Selling Certain Personal Property on Sunday.—Whoever engages on Sunday in the business of selling, or sells or offers for sale, on such day, at retail, clothing and wearing apparel, clothing accessories, furniture, housewares, home, business or office furnishings, household, business or office appliances, hardware, tools, paints, building and lumber supply materials, jewelry, silverware, watches, clocks, luggage, musical instruments and recordings, or toys, excluding novelties and souvenirs, shall, upon conviction thereof in a summary proceeding for the first offense, be sentenced to pay a fine of not exceeding one hundred dollars (\$100), and for the second or any subsequent offense committed within one year after conviction for the first offense, be sentenced to pay a fine of not exceeding two hundred dollars (\$200) or undergo imprisonment not exceeding thirty days in default thereof.*

*Each separate sale or offer to sell shall constitute a separate offense.*

*Information charging violations of this section shall be brought within seventy-two hours after the commission of the alleged offense and not thereafter.*

## Effective date.

Section 2. This act shall take effect in thirty days.

APPROVED—The 10th day of August, A. D. 1959.

DAVID L. LAWRENCE

## No. 213

## AN ACT

Amending the act of April 9, 1929 (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof,

\* "by" in original.

including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further regulating the security required for deposits of State moneys.

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

Section 1. Subclause 2 of clause (a) of section 505, act of April 9, 1929 (P. L. 343), known as "The Fiscal Code," amended June 28, 1951 (P. L. 601), is amended to read:

Subclause 2, clause (a), section 505, act of April 9, 1929, P. L. 343, amended June 28, 1951, P. L. 601, further amended.

Section 505. State Depositories.—The Board of \*Finance and Revenue shall have the power, and its duty shall be,

(a) To select and designate, as depositories for the State moneys, banks, banking institutions, or trust companies, which are subject to national or State supervision, and each of which,

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2. Shall, upon the receipt of notice of its selection as a depository of State moneys, furnish a bond to secure payment of deposits and interests to the Commonwealth of Pennsylvania, with a proper warrant of attorney to confess judgment in favor of the Commonwealth, secured by a surety company or individual sureties to be approved by the board, in the amount of the deposit to be made. If a corporate bond be given, no one surety company shall be approved in an aggregate amount in excess of five times its capital surplus, and reserve, and, whenever individual sureties are presented for approval, they shall qualify in an aggregate over and above their individual liabilities to three times the amount of the deposit. No one person may qualify for more than one-fourth of the total amount of the bond required: Provided, That when any deposit of State moneys is insured with the Federal Deposit Insurance Commissioner or any other corporation hereafter organized by

\* "Finance" in original.

the United States for the purpose of insuring deposits, such depository shall not be required to furnish bond or security to cover the amount of such deposit so insured: And provided further, That, in lieu of the surety bonds of surety companies or of individuals as aforesaid, the deposit of State moneys may be secured by the deposit with the State Treasurer, [or] with the Federal Reserve Bank of Philadelphia or Pittsburgh, *or with any bank or bank and trust company organized under the laws of this Commonwealth or any national banking association located in this Commonwealth which shall be approved by the State Treasurer*, subject to such regulations as may be prescribed by the Board of Finance and Revenue or the State Treasurer, or both, as the case may be, of bonds or notes of the United States, or bonds or notes which the United States fully guarantees both as to principal and interest, bonds of the Delaware River Joint Commissions, bonds of the Pennsylvania Turnpike Commission, bonds of the State Public School Building Authority, bonds of The General State Authority, bonds of the State Highway and Bridge Authority, bonds or tax anticipation notes of this Commonwealth, or of any municipal subdivision, institution district, or school district or county thereof, to be approved by the board, in an amount measured by their actual market value equal to the amount of deposit so secured and twenty per centum in addition thereto. Said bonds *and any additions to and substitutions and exchanges therefor* shall be [accompanied by] *subject to* proper assignment, *or right to sell*, or power of attorney to transfer the same, and said trust deposit of securities shall be maintained, on request, at the amount aforesaid, in case of any depreciation in the value thereof: Provided, That no bonds, or other security, shall be required of State depositories for State deposits to the extent, that such State deposits are insured under the provisions of Section 12 B of the Federal Reserve Act, approved the twenty-third day of December, one thousand nine hundred and thirteen, its amendments and supplements.

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Section 2. This act shall take effect immediately.

APPROVED—The 11th day of August, A. D. 1959.

DAVID L. LAWRENCE

Act effective  
immediately.