

No. 271

AN ACT

HB 1532

Amending Title 1 (General Provisions) of the Consolidated Pennsylvania Statutes, changing the short title, revising and adding provisions relating to editing and printing of statutes and constitutional provisions and relating to statutory construction, changing provisions for citing statutes, and changing headings of other titles.

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

Section 1. Sections 101, 102 and 304(b) of Title 1, act of November 25, 1970 (P.L.707, No.230), known as the Consolidated Pennsylvania Statutes, are amended to read:

§ 101. Short title.

This act shall be known, and may be cited, as the “[Consolidated] Pennsylvania *Consolidated* Statutes.”

§ 102. Citation of [Consolidated] Pennsylvania *Consolidated* Statutes.

The [Consolidated] Pennsylvania *Consolidated* Statutes may be cited by title and section number. Without prejudice to any other form of citation, a citation to any section of this act in the following form shall, except as provided in section 303 of this title (relating to cross references between provisions of [act] *the Consolidated Statutes*), be adequate for all purposes: [“1 Pa. S. § 102.”] “1 Pa.C.S. § 102.”

§ 304. References to other statutes.

* * *

(b) [Any] *Without prejudice to any other form of citation, any statute, except a provision of this act, shall be cited in this act by reference to its [statutory short title, if any, otherwise to its] date of enactment, the special session number, if any, [and] the page and act number, if any, assigned in the Laws of Pennsylvania [If the statute has neither an act number nor statutory short title, a brief summary of its title sufficient to distinguish the statute from others bearing the same date of enactment and the page number in the Laws of Pennsylvania shall be set forth in lieu thereof.] and its statutory short title, or popular name, if any, otherwise a brief summary of its title.*

Section 2. Sections 1101(b) and 1105 of Title 1, added or amended June 17, 1974 (No.107), are amended to read:

§ 1101. Enacting clause and unofficial provisions.

* * *

(b) Preambles, tables of contents, summary analyses [following], major subdivision headings, section and minor subdivision headings, cross reference descriptions, source notes and parallel tables shall not constitute part of the law and the Legislative Reference Bureau may, in

its discretion, either include or omit such provisions in bills drafted by the bureau including bills prepared initially by agencies or persons other than the bureau.

* * *

§ 1105. [**Correction of errors in statutes.**] *Editing statutes for printing.*

(a) [**Procedure for correction**] *Correction of errors.*—Where any statute shall have been finally enacted and it shall be ascertained that such statute is technically defective in form, or contains misspelled words or typographical errors, or the plural or singular number, or the past, present or future tense appears where another should be used, or where a word clearly intended to be inserted has been omitted, or where a word clearly should have been omitted, or where a word is correctly spelled but it clearly appears that another word was intended, [**or where a title, part, article, chapter, subchapter or other major subdivision heading or a cross reference in any amendment to the Consolidated Pennsylvania Statutes has been omitted or is erroneous or otherwise defective,**] the Director of the Legislative Reference Bureau, in [**punctuating and**] editing such statute, shall have authority, with the approval of the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Department of Justice, to correct the original copy of such statute, as filed in the Department of State, if such correction will not in any manner affect or change the meaning, intent or substance of such statute.

(b) Notation of correction.—Whenever any such correction on any statute is made, a notation thereof shall be made on the original copy *or on a sheet attached to the original copy* by the Director of the Legislative Reference Bureau, together with his signature, followed by the approval and signatures of the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the Attorney General or his deputy. A notation of such corrections shall also be printed in the Laws of Pennsylvania as footnotes to the statutes on which the corrections were made.

(c) Unofficial provisions of statutes.—The Director of the Legislative Reference Bureau, in editing and preparing statutes for printing, shall have authority to add to the statute provisions which do not constitute part of the law as provided in section 1101 of this title (relating to enacting clause and unofficial provisions) and to correct or omit such provisions contained in the statute. In making such changes it shall not be necessary to obtain the approvals or to make the notations required under subsections (a) and (b) of this section.

(d) *Changes in form and style.*—*The Director of the Legislative Reference Bureau, in editing and preparing statutes for printing in the Laws of Pennsylvania or pursuant to Chapter 5 of this title (relating to official publication of the Consolidated Statutes), may, in a manner that will not affect or change the meaning, intent or substance of such statute*

and, unless otherwise provided in this subsection, without obtaining the approvals or making the notations required under subsections (a) and (b) of this section:

(1) Renumber major subdivisions, sections and minor subdivisions to eliminate duplicate numbers.

(2) With approvals required under subsection (a) of this section, rearrange or transfer major subdivisions, sections and minor subdivisions to conform to requirements established pursuant to Chapter 3 of this title (relating to format of the Consolidated Statutes).

(3) Insert or change instructions and references in sections of amendatory statutes to conform to the provisions amended or affected.

(4) Insert or change reference numbers and the form of citations or references to Federal or State constitutions, statutes or regulations to conform to renumbered or revised provisions or to requirements established pursuant to Chapter 3 of this title.

(5) Substitute the proper major subdivision, section or minor subdivision number and related references for the terms "this act," "the preceding section," and the like.

(6) Strike out or insert figures and symbols where they are merely a repetition of or have the same meaning as written words and vice-versa.

(7) Change capitalization for the purpose of uniformity or style.

(8) Insert a symbol for the word "section" and vice-versa.

(e) Constitutional provisions.—The Director of the Legislative Reference Bureau, in editing and preparing the Constitution of Pennsylvania and its amendments for printing in the Laws of Pennsylvania or pursuant to Chapter 5 of this title (relating to official publication of the Consolidated Statutes), may make corrections and changes under this section and section 502(a) of this title (relating to preparation and contents) in the same manner and subject to the same requirements applicable to statutes.

Section 3. Section 1923(b) of Title 1, added December 6, 1972 (P.L.1339, No.290), is amended to read:

§ 1923. Grammar and punctuation of statutes.

* * *

(b) In no case shall the punctuation of a statute control or affect the intention of the General Assembly in the enactment thereof **[unless the] but punctuation may be used to aid in the construction thereof if the statute was finally enacted after December 31, 1964.**

* * *

Section 4. Section 1991 of Title 1, added December 6, 1972 (P.L.1339, No.290), is amended by adding and amending definitions to read:

§ 1991. Definitions.

The following words and phrases, when used in any statute finally enacted on or after September 1, 1937, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

* * *

“Local authority.” When used in any statute finally enacted on or after January 1, 1975, a municipal authority or any other body corporate and politic created by one or more political subdivisions pursuant to statute.

* * *

“Municipal corporation.” [A city, borough or incorporated town.]

(1) When used in any statute finally enacted on or before December 31, 1974, a city, borough or incorporated town.

(2) When used in any statute finally enacted on or after January 1, 1975, a city, borough, incorporated town or township.

* * *

“Municipality.” [A city, borough or incorporated town.]

(1) When used in any statute finally enacted on or before December 31, 1974, a city, borough or incorporated town.

(2) When used in any statute finally enacted on or after January 1, 1975, a county, city, borough, incorporated town or township.

* * *

Section 5. The headings of Titles 8, 12, 13, 20, 27, 28, 37, 38, 44, 48, 53, 55 and 73 of the act are amended to read:

* * *

TITLE 8

BOROUGHS AND INCORPORATED TOWNS

* * *

TITLE 12

[COMMERCIAL CODE] COMMERCE AND TRADE

TITLE 13

COMMERCIAL [TRANSACTIONS] CODE

* * *

TITLE 20

[PROBATE] DECEDENTS, ESTATES AND FIDUCIARIES

[CODE]

* * *

TITLE 27

[ESCHEATS] ENVIRONMENTAL RESOURCES

TITLE 28

[(RESERVED)] ESCHEATS

* * *

TITLE 37

[HOTELS AND LODGING HOUSES] *HISTORICAL AND MUSEUMS*

TITLE 38

[INCORPORATED TOWNS AND TOWNSHIPS]
HOLIDAYS AND OBSERVANCES

* * *

TITLE 44

[LEGAL HOLIDAYS AND OBSERVANCES] *LAW AND JUSTICE*

* * *

TITLE 48

[(RESERVED)] *LODGING AND HOUSING*

* * *

TITLE 53

[MUNICIPAL CORPORATIONS] *MUNICIPALITIES*
GENERALLY

* * *

TITLE 55

[NATURAL RESOURCES] *(RESERVED)*

* * *

TITLE 73

[TRADE AND COMMERCE] *TOWNSHIPS*

* * *

Section 6. The Director of the Legislative Reference Bureau, in preparing statutes for printing, may change the form of citation in bills enacted into law prior or subsequent to the effective date of this act, and in reenacting provisions of existing statutes for purposes of amendment and in preparing an official publication of the Consolidated Statutes, may change the form of citation in such statutes without the use of brackets and underscoring, to conform to the amendments to sections 101 and 102 of Title 1 contained in section 1 of this act. In such cases, the approvals and notations required by 1 Pa.C.S. § 1105 (relating to editing statutes for printing) shall not be required.

Section 7. This act shall take effect immediately.

APPROVED—The 10th day of December, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 271.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style.

Secretary of the Commonwealth.