



The Judiciary Review

Report from the Senate Judiciary Committee (D)

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LEGISLATION TO EXPAND JURY POOLS CLEARS HOUSE COMMITTEE

■ **Senate Bill 116**
Printer's No. 1038

A bill sponsored by Senator Jay Costa providing counties with additional information to assemble jury pools has passed the Senate and was reported by the House Judiciary Committee. The legislation establishes the Statewide Jury Information System. Prior to October 31 of each year, the Departments of Public Welfare, Revenue, State and Transportation would be required to submit a list of individuals that receive benefits, file personal income tax returns, register to vote or receive a driver license to the Administrative Office of the Pennsylvania Courts (AOPC). The information submitted would include name, address, date of birth and the last four digits of a social security number. The information regarding address would be subject to the restrictions found in 23 Pa.C.S. Ch. 67 relating to domestic and sexual violence victims address confidentiality.

The AOPC is required to mix the lists and remove all information relating to the source of the list, assemble names and addresses by county and remove duplicates. Thereafter, the AOPC is required to provide the lists to the county jury commission upon request.

The lists supplied to and produced by the AOPC may not be re-released except as provided in the act. Further, none of the information provided or assembled constitutes a public document that is subject to release or disclosure under the Right to Know Act or any other law,

regulation, rule, enactment or decision.

Current Status: Laid on the table (House)

■ **Senate Bill 221**
Printer's No. 258

The legislation amends sections 6106 and 6109 of Title 18 (Crimes Code) to provide members of the National Guard and Armed Forces a 90-day extension for a license to carry a firearm. The extension will be granted if the person was deployed overseas and the permit is scheduled to expire while they are deployed overseas. The extension will begin at the end of the deployment period and they shall use their license and a copy of their military orders to show proof of their ability to carry a firearm during the extension period. The act takes effect in 60 days.

Current Status: House Judiciary Committee

■ **Senate Bill 595**
Printer's No. 645

The legislation amends Title 18 (Crimes and Offenses) and Title 23 (Domestic Relations) to create a Domestic Violence Fatality Review Program.

The Criminal History Records Information Act (Ch. 91) is amended to authorize the release of all information collected under CHRIA to the members of a Domestic Violence Fatality Review Board established under Title 23, Ch. 68 without charge. Additionally, the legislation authorizes members of a Domestic Violence Fatality Review

Board to receive information filed with the Department of Public Welfare under the Child Protective Services Act.

The legislation amends the Domestic Relations Code by adding Chap. 68 and the Domestic Violence Fatality Review Program. Under this program, the office of the Attorney General is required to establish a Domestic Violence Fatality Review Board and Domestic Violence Fatality Review Teams with the purpose of investigating domestic violence and recommending improvements in domestic violence investigations, interventions and prevention efforts throughout the commonwealth.

The legislation provides that the board and teams are required to review certain information and to provide recommendations on changes to legislation, regulations, policies and budgets, prevention and intervention strategies, public awareness strategies and interagency coordination.

Current Status: Senate Appropriations Committee

■ **Senate Bill 632**
Printer's No. 987

The legislation amends Title 15 (Corporations and Unincorporated Associations) by making a few basic revisions to the laws related to Limited Liability Partnerships (LLPs) and Limited Liability Companies (LLCs).

First, the legislation provides general partners in restricted LLPs with the same protection from liability as shareholders in a professional corporation. This change will give owners of large and small professional practices the same liability protection.

The legislation amends the Association Code to complete the codification of the Nonprofit Corporation Law by codifying the nonprofit corporation laws consistently with corporation laws generally. The purpose of the legislation insures that Pennsylvania has an internally consistent body of statutory law to govern the organization and operation of nonprofit corporations.

Additionally, the legislation adds the Uniform Unincorporated Nonprofit Association Act (Title 15, Part IV, Chapter 91B) to govern the organization and operation of nonprofit entities that choose not to incorporate. For the purposes of the uniform act, a “nonprofit association” is defined as an unincorporated organization consisting of two or more members joined by mutual consent for a common, nonprofit purpose. The uniform act provides rules governing a nonprofit association’s ownership and transfer of real property. A nonprofit association may acquire, hold or transfer real property in the name of the association and may be the beneficiary of a trust.

Second, the annual base registration fee for restricted LLPs is being raised to equal the fee paid by LLCs recognizing that both forms of entities are entitled to the same liability protections. The base fee is being raised from \$200 to \$300. The base registration fee for unrestricted LLPs is also being raised from \$200 to \$240. In both cases the annual registration fee is calculated by multiplying the base fee times the number of general partners in the LLP.

The legislation was amended to provide certain publication requirements for the following entities:

Requires prospective partners or a limited partnership to officially publish notice of the intent to file or the filing of a certificate of limited partnership either before or after the filing of an official certificate of such limited partnership with the Department of State. The notice must

include the name of the limited partnership and that the LP was formed under Chapter 85 of this title. Does not apply to limited partnerships filed on or before the effective date of this act.

Requires limited partnerships to officially publish notice of the winding up proceedings. This notice must include name of limited partnership and the fact that the winding up of a limited partnership has commenced. Does not apply to limited partnerships filed on or before the effective date of this act.

Requires a Foreign Limited Partnership (FLP) to officially publish notice of its intention to apply or its application for registration as a foreign limited partnership prior to or after the application for registration has been filed with the department. FLPs are also required to publish notice of withdrawal from doing business in the Commonwealth. The amendment provides the contents of the notice for both registration and withdrawal. Does not apply to limited partnerships filed on or before the effective date of this act.

Requires organizers of a Limited Liability Company (LLC) to officially publish a notice of intent to file or the filing of a certificate of organization prior to or after the certificate is filed with the department. It also requires

the publication of notice of winding up procedures. The amendment provides the contents of the information to be published. Does not apply to limited partnerships filed on or before the effective date of this act.

Requires a Foreign Limited Liability Company (FLLC) to officially publish notice of its intention to apply or its application for registration as a foreign limited partnership prior to or after the application for registration has been filed with the department. FLLCs are also required to publish notice of withdrawal from doing business in the Commonwealth. The amendment provides the contents of the notice for both registration and withdrawal. Does not apply to limited partnerships filed on or before the effective date of this act.

Current Status: Senate Appropriations Committee

■ **House Bill 688
Printer’s No. 774**

The legislation amends Title 42 (Judiciary and Judicial Procedure) to provide additional exemptions for jury duty under section 4503. The bill would allow a person aged 70 or older to opt not to serve on a jury if they are called for jury service.

*Current Status: Senate Calendar
Second Consideration*



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