

Legislative Locator

The Legislative Locator is a Bimonthly Publication of The Pennsylvania Municipal League



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March 2024

House Committee Passes Unfunded Mandate on Local Governments in a 23-2 Vote Post-Traumatic Stress Injury Bill is One Step Closer to Passage

[House Bill 1632 and Senate Bill 365](#) will likely continue to move through the General Assembly this spring. We need your advocacy efforts to achieve a fair, affordable compromise or stop the bills entirely.

Both bills amend the Workers' Comp Law and would allow for easier access to a PTSI benefit for first responders. While we support our first responders and agree their mental health must be taken seriously, the bills are written with such broad language that it creates a fiscally irresponsible and uninsurable program. These bills lack any reasonable and commonsense provisions that would help control costs to taxpayers. As a result, a massive unfunded mandate will be placed on local governments.

House Bill 1632 was voted out of the House Veterans Affairs and Emergency Preparedness Committee on March 4 in a bipartisan 23-2 vote. Representatives Banta and Hamm were the only negative votes. During the meeting, some legislators expressed the need to address local government concerns, and the bill's sponsor, Representative O'Mara, said she would continue to look for a compromise. **Watch a recording of the Committee meeting [here](#) (discussion on HB 1632 begins at minute 13:00)**. Senate Bill 365 has recently undergone second consideration, and currently Senators are in discussions to determine whether to move the bill any further.

While The League continues our advocacy efforts, it is vitally important your legislators hear from you. Please use this [sample letter](#) to send to both your Representative and Senator urging them to carefully review the fiscal impacts this legislation will have on municipalities and taxpayers. Alternatively, you can send this [sample op-ed](#) to your local newspaper. It is important we keep local government's concerns with these proposals at the top of your legislators' minds as we enter the spring legislative session.

Cosponsor Memos Affecting Local Government

Representative Emily Kinkead has announced her intention to introduce legislation authorizing municipalities to elect to start an e-scooter program in their community.

Representatives Lindsay Powell and Jennifer O'Mara have announced their intention to introduce a resolution directing the Legislative Budget and Finance Committee to study short-term rental properties in the commonwealth.

Senators Kristin Phillips-Hill and Ryan Aument have announced their intention to introduce legislation requiring all newspapers of general circulation to disclose the costs of all legal advertisements and public meeting notices published by the paper.

Legislation on the Governor's Desk

Third Class City Administrator

[House Bill 1234](#) (PN 1325), introduced by Representative Bob Freeman, would amend Title 11 (Cities). Where a Third Class City has established the position of city administrator, the bill would add partnership, limited partnership, association or professional corporation as entities that can be appointed as a city administrator, in addition to the current appointment of an individual.

Auditor Compensation in Second Class Townships

[Senate Bill 740](#) (PN 856), introduced by Senator Mike Regan, would amend the Second Class Township Code increasing auditor compensation. In townships with a population of 10,000 or fewer, the compensation may not exceed \$1,800. In townships with a population over 10,000, the compensation may not exceed \$3,500. Or, by resolution, a board of supervisors may increase the rate of compensation for each auditor to an amount not greater than \$18 per hour.

Borough Code Updates

[Senate Bill 753](#) (PN 800), introduced by Senator Tim Kearney, proposes updates to the Borough Code, including the following:

- Section 806 would remove the minimum population requirement to change the council from 7 to 5 to 3 and would include a provision to increase council to 5 or 7.
- Section 704 would clarify a borough mayor's authorization to join mayors' associations; to have dues not exceeding \$100 approved by council; and to be reimbursed for expenses of attending meetings.
- Section 801 would update eligibility for elected office.
- Chapter 25B would update borough authority regarding solid waste collection and disposition.

Section 3301 would update borough requirements regarding the publication of ordinances prior to a vote.

Legislation Affecting Local Government

Pennsylvania Attainable Housing Community Designation

First Consideration in the House, March 18, 2024

[House Bill 1386](#) (PN 2723), introduced by Representative Thomas Kutz, would amend Title 68 (Real and Personal Property) providing for a Pennsylvania attainable housing community designation. Upon submitting an application, a municipality would be given the designation of an attainable housing community by the Department of Community and Economic Development if it provides for at least three of the following:

- accessory dwelling units in one or more of its residential zones;
- solutions for missing middle, middle income, and workforce housing needs;
- mixed-use development, where it is appropriate; or
- programs and incentives encouraging the redevelopment of existing residential homes to make them acceptable for housing and code compliant.

Municipalities that wish to obtain the attainable housing community designation must submit their zoning ordinance to the Department for a review. The Department must review the ordinance and notify the municipality of whether their application for designation as an attainable housing community has been approved. The Department must also create an online registry,

where municipalities that have obtained this designation are listed. The Pennsylvania Housing Finance Agency may adopt written preferences that give an advantage to municipalities with an attainable housing community designation when they apply for grants for specific projects.

Statewide Advisory Council on Playground Safety

Second Consideration in the House, March 26, 2024

[House Bill 1443 \(PN 2810\)](#), introduced by Representative Green, would create a Statewide Advisory Council on Playground Safety, which would include representatives of local governments. The original text of this bill included requirements for municipal compliance with certain playground safety standards and the abatement of unsafe equipment. The bill was amended in the House Children and Youth Committee removing the strict compliance requirements and instead establishing the advisory council.

The advisory council would be responsible for commenting on various state agency playground regulations, standards and legislation. They would also be responsible for helping to improve playground safety by recommending the implementation and enforcement of playground standards; suggesting sources of funding opportunities to assist entities with playground safety compliance; recommending standards for personnel training and safety inspections; assisting in the development of an unsafe playground reporting mechanism; and developing playground safety plan models.

Real Estate Tax Sale Law Notification Designation

Passed the House, March 18, 2023

[House Bill 1646 \(PN 2444\)](#), introduced by Representative Chris Pielli, would amend the Real Estate Tax Sale Law allowing older citizens to designate an alternate contact to receive any delinquent real estate tax notifications. The Department of Community and Economic Development would be responsible for developing the designation form, which would be made available on the Department's website and by distributing a physical copy to each local taxing district and area agency on aging.

A property owner would complete the designation form and file it with their respective county tax claim bureau. Once the county receives a completed form, all delinquent notices must be sent to both the property owner and the designated individual.

Addressing Affordable Housing through Zoning

House Local Government Committee, February 20, 2024

[House Bill 2045 \(PN 2611\)](#), introduced by Representative Joshua Siegel, would amend the Pennsylvania Municipalities Planning Code, preempting local zoning authority. In a municipality with at least 5,000 residents, zoning ordinances would be required to allow for duplex, triplex, or quadplex housing on a lot where a single-family residence is now the only permitted use. Zoning regulations for the use or development of multi-family housing may not be more restrictive than regulations that apply to single-family residences.

Under this bill duplex housing would be defined as a parcel or lot with two dwelling units designed for occupancy by no more than two family units living independently of each other. Triplex housing would be defined as a separate or detached residence with three dwelling units designed for three occupants. Quadplex housing would be defined as a separate or detached residence with four dwelling units designed for four occupants.

Uniform Construction Code: Tiny Houses

House Housing and Community Development Committee, February 22, 2024

[House Bill 2052 \(PN 2619\)](#), introduced by Representative Darisha Parker, would amend the Uniform Construction Code requiring the Department of Labor and Industry to promulgate

regulations adopting Appendix Q “Tiny Houses” of the 2018 International Residential Code. These regulations would only apply in a municipality that elects to adopt Appendix Q by ordinance.

Notices for Delinquent Real Estate Taxes

House Finance Committee, February 28, 2024

[House Bill 2074 \(PN 2648\)](#), introduced by Representative Tarah Probst, would amend the Local Tax Collection Law. Currently, tax collectors must send one delinquency notice by mail no later than December 31. This bill would change delinquency notification by requiring tax collectors to send two delinquency notices by first class mail, the first to be sent no later than September 1 and the second no later than November 1.

Local Government Advertising Flexibility

House Local Government Committee, March 15, 2024

[House Bill 2103 \(PN 2706\)](#), introduced by Representatives Jason Ortitay and Mike Schlossberg, would amend Title 45 (Legal Notices) providing local governments with various, more modern methods of advertising.

When an advertisement is required by law, a local government would be able to choose from a menu of advertising options, including: a county newspaper of general circulation; a newspaper printed in the local government unit; a legal newspaper designated by the rules of the county court; the public website of the local government; the public website of a newspaper; and a locally circulated printed publication that is at least four pages long. In addition to the required publication, a local government would be required to post a copy of the advertisement at its principal building in which the board meets. If a local government is unable to post the advertisement at its principal meeting location, the county would provide a space where the local government would be responsible for posting the advertisement.

Local governments would also be required to adopt a resolution declaring their intent to use one or more advertising methods listed in the bill. The local government would be required to provide public notice regarding the passage of the resolution and intent to use alternative methods.

HOUSE AND SENATE SESSION DAYS 2024

House:

April 8-10, 15-17, 29-30

May 1, 6-8, 20-22

June 3-5, 10-12, 17-18, 24-28

Senate:

April 8-10, 29-30

May 1, 6-8

June 3-5, 10-12, 24-30

**reminder - session dates are subject to change*



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