

LOCAL GOVERNMENT COMMISSION ACT SUMMARIES

ACTS SIGNED INTO LAW BY THE GOVERNOR AFFECTING BOROUGHES

| <u>ACT</u> | <u>DATE SIGNED</u> | <u>BILL NO.</u> | <u>2015-2016 Session</u> |
|------------------------------|---------------------------|------------------------|---------------------------------|
| Act 2 | February 5, 2016 | HB 1201 | Effective April 5, 2016 |

Repeals the act of May 21, 1943 (P.L.279, No.131) entitled "An act authorizing the Department of Highways and counties, cities, boroughs, towns and townships to adopt and take over as public roads and highways, certain highways taken over, located, extended or constructed by the Federal Government or any agency thereof, in the exercise of the war power, and providing the procedure therefor."

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| JR 1 | February 8, 2016 | HB 153 |
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This joint resolution proposes an amendment to Article II, Section 16 of the Pennsylvania Constitution to reduce the membership of the Pennsylvania House of Representatives from 203 to 151 members. As a proposed constitutional amendment, the resolution must pass two consecutive sessions of the General Assembly prior to being submitted to the voters for adoption. Pamphlet Laws Resolution 1 of 2016.

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| Act 6 | February 23, 2016 | HB 561 | Effective Immediately |
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Amends the Local Tax Enabling Act to exempt from the local earned income tax wages or compensation paid to individuals on active military service, regardless of whether it is earned for active military service inside or outside the Commonwealth.

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| Act 10 | March 25, 2016 | HB 1296 | Effective May 24, 2016 |
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Amends Act 53 of 1973 relating to the investment of funds by public corporations and municipal authorities by adding a new section 1.1 to expand the types of financial products in which a public corporation or municipal authority may invest and reinvest public funds in addition to those products otherwise authorized by law. The bill also sets forth reporting requirements for each local government investment trust or local government investment pool that invests funds in accordance with section 1.1.

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| Act 12 | April 14, 2016 | HB 1326 | Effective June 13, 2016 |
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Amends Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes by: (1) establishing a process for the valuation of acquired water and wastewater systems, upon agreement by both the acquiring public utility or entity and the selling utility, to determine the fair market value of the selling utility for ratemaking purposes; (2) charging the Public Utility Commission with delineated duties and responsibilities; (3) providing for the selection of utility valuation experts, as defined, and standards for the appraisal process; and (4) adding definitions.

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[Act 16](#)

April 17, 2016

SB 3

Effective May 17, 2016

This is the Medical Marijuana Act, which establishes a medical marijuana program for patients suffering from “serious medical conditions,” as defined, to be administered by the Pennsylvania Department of Health (Department). The Department is charged with various duties and responsibilities to administer the act. Growers, processors, and dispensaries must meet the same zoning and land use regulations that other similar industries in the same zoning district must meet (Section 2107).

[Act 18](#)

April 20, 2016

HB 794

Effective Immediately

Amends the County Code to further provide for the levy, collection and administration of the county hotel room rental tax for specified counties of the second through eighth classes. Among other things, this bill: (1) amends and consolidates Sections 1770.2 and 1770.6 of the Code into new Section 1770.10; (2) repeals Title 53 of the Pennsylvania Consolidated Statutes, Section 8721, relating to the levy of a hotel room rental tax by counties of the second class and second class A, and consolidates those provisions, as amended, for certain counties of the second class A into new Section 1770.12; (3) increases the maximum hotel room rental tax rate from three percent to five percent in specified counties of the second class A through the eighth classes; (4) modifies provisions in Section 1770.5 relating to the allocation of hotel room rental tax revenue to a county regional sports facility; (5) further provides for use and disposition of hotel room rental tax revenues; (6) relating to counties of the third through the eighth classes governed by new Section 1770.10: (a) authorizes the county commissioners or the Department of Community and Economic Development (DCED) to withhold hotel room rental tax revenue if the tourist promotion agency (TPA) fails to submit the required annual audit or financial statement, as directed; and (b) requires any board member, officer and employee of a recognized TPA to disclose any conflict of interest, as defined, and recuse himself/herself from any action that may result in a private pecuniary benefit; (7) further provides for the assessment of administration fees and penalties; (8) adds a new Section 1770.11 to provide for the certification and decertification of a recognized TPA by the county commissioners; and (9) adds definitions.

[Act 30](#)

May 24, 2016

HB 1310

Effective July 25, 2016

Amends Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes to prohibit a public safety answering point (PSAP) from releasing the name, telephone number and home address of an individual calling a 911 center, a victim or a witness unless the PSAP or a court determines that it is in the public interest to disclose the information. A definition of “identifying information” is provided.

[JR-2](#)

June 15, 2016

HB 147

This joint resolution proposes an amendment to Article VIII, Section 2(b)(vi) of the Pennsylvania Constitution to change the authorized homestead/farmstead exclusion offered by local taxing authorities from one-half of the median assessed value of all homestead property within a local taxing jurisdiction to one hundred percent of the assessed value of each homestead property within a local taxing jurisdiction. As a proposed constitutional amendment, the resolution must pass two consecutive sessions of the General Assembly prior to being submitted to the voters for adoption. Pamphlet Laws Resolution 2 of 2016.

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[**Act 60**](#)**June 30, 2016****HB 1877****Effective Immediately**

Amends Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes by reauthorizing the Volunteer Fire and Emergency Medical Services Grant program (program) until June 30, 2020. Among other things, the bill amends Chapter 78 of Title 35 to: (1) rename the chapter as “Grants to Fire Companies and Emergency Medical Services Companies”; (2) expand the grant program to include career emergency medical services (EMS), as defined, if the company is designated by a municipality as the primary EMS provider; (3) broaden the use of grant award funds by an eligible fire company to include training and education of the general public regarding fire prevention; (4) authorize the State Fire Commissioner (Commissioner) to establish additional authorized uses of grant funds for paid municipal fire companies, as conditioned, and provide for the issuance of additional grants to defined fire companies under a certification bonus point system administered by the Commissioner; (5) extend the grant eligibility period from five years to ten years for volunteer fire companies and EMS services after consolidation or merger; (6) specify reporting requirements for grant eligibility; and (7) authorize the Commissioner to use up to \$800,000 of specified unencumbered funds for administrative costs for the grant program.

[**Act 75**](#)**July 8, 2016****HB 898****Effective Immediately**

Amends Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes by: (1) amending the definition “emergency vehicle” to include a vehicle that is owned and operated by a county correctional institution in a city of the first class and used to respond to an emergency at a correctional institution in a city of the first class or to escort an ambulance that is transporting sick or injured prisoners in a city of the first class, and providing for the operation of the vehicle; (2) further providing for the mounting of flashing lights on emergency vehicles or privately-owned vehicles used in responding to an emergency call; (3) requiring the State Fire Commissioner, annually not later than April 1, to make recommendations to the Department of Transportation (Department) relating to the emerging technology of flashing or revolving mounted lights, as specified; and (4) charging the Department with specified responsibilities relating to dead deer removal and deer crossings.

[**Act 92**](#)**July 20, 2016****HB 967****Effective Immediately**

Amends Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes by adding a new Chapter 7 “Industrial Hemp Research” to the Title. The Act empowers the Department of Agriculture to establish, implement and administer an agriculture pilot program for purposes of industrial hemp research, as detailed.

[**Act 100**](#)**July 20, 2016****SB 1227****Effective September 19, 2016**

Amends the Administrative Code of 1929 by, generally: (1) transferring the powers and duties of the Public Employee Retirement Commission to the Independent Fiscal Office (IFO) and the Department of Auditor General, as delineated; (2) repealing Chapter 41 of Title 71 (State Government) of the Pennsylvania Consolidated Statutes, which provides for the establishment, powers and duties of the IFO, and creating a new Article VI-B “Independent Fiscal Office” in the Administrative Code; (3) transferring the employees of the Public Employees Retirement Commission to the Department of Auditor General by October 1, 2016; and (4) making necessary repeals.

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Amends Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes to, among other things: (1) amend definitions including the definition of “municipality” in Title 74 to include a county or home rule municipality; (2) authorize the Department of Transportation (Department) to own and manage traffic signals in cities of the first or second class and further authorize other municipalities to enact ordinances and enter into applicable agreements necessary to complete the transfer of rights and duties to Department-managed signals; (3) establish a special Green Light-Go pilot program for Department-managed traffic signals, and if the Secretary of the Department determines the program is successful by January 1, 2022, authorize the expansion of the program; (4) authorize vehicles that fail to be detected by automated traffic signals to proceed according to the current process in the Vehicle Code for inoperable or malfunctioning signals; (5) regarding the automated red light enforcement (ARLE) program: (a) require the Department to conduct an evaluation by June 1, 2017, to identify the program’s effectiveness and to identify the conditions that indicate when a municipality should consider ARLE, and (b) move the sunset provision for ARLE in Philadelphia and certain municipalities to July 15, 2027; and (6) lower the municipal match for Green Light-Go from 50% to 20%, which, except for transportation improvement program funds, may consist of any combination of federal, state, regional, local and private funds, to improve traffic signal safety and mobility.