
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1169 Session of
2021

INTRODUCED BY MOUL, JAMES, KNOWLES, FREEMAN AND SAPPEY,
APRIL 14, 2021

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 14, 2021

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in consolidated county assessment,
3 further providing for definitions, for changes in assessed
4 valuation and for abstracts of building and demolition
5 permits to be forwarded to the county assessment office.

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

8 Section 1. Section 8802 of Title 53 of the Pennsylvania
9 Consolidated Statutes is amended by adding a definition to read:

10 § 8802. Definitions.

11 The following words and phrases when used in this chapter
12 shall have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 * * *

15 "Normal regular repairs." As follows:

16 (1) The term shall include:

17 (i) The repair or replacement of materials or
18 components of property features for the purpose of
19 maintenance.

1 (ii) The replacement of existing property features
2 with new versions reasonably similar in function,
3 quality, material and dimension.

4 (2) As used in this definition, the term "property
5 features" includes, but is not limited to, roofing, siding,
6 flooring, heating and air conditioning systems and windows.

7 * * *

8 Section 2. Sections 8817(a) and 8861 of Title 53 are amended
9 to read:

10 § 8817. Changes in assessed valuation.

11 (a) General rule.--In addition to other authorization
12 provided in this chapter, the assessors may change the assessed
13 valuation on real property when a parcel of land is subdivided
14 into smaller parcels or when improvements are made to real
15 property or existing improvements are removed from real property
16 or are destroyed. The recording of a subdivision plan shall not
17 constitute grounds for assessment increases until lots are sold
18 or improvements are installed. The painting of a building or the
19 normal regular repairs to a building [aggregating \$2,500 or less
20 in value annually] shall not be deemed cause for a change in
21 valuation by the assessors under the authority of this section.

22 * * *

23 § 8861. [Abstracts of building and demolition permits to be
24 forwarded] Submission of permit and substantial
25 improvement information to the county assessment
26 office and civil penalty.

27 (a) Permit.--Every municipality, third-party agency or the
28 Department of Labor and Industry responsible for the issuance of
29 building permits or demolition permits shall forward a copy of
30 each [building] permit to the county assessment office on or

1 before the first day of every month. In addition to any charge
2 otherwise permitted by law, a municipality, a third-party agency
3 or the Department of Labor and Industry may charge an additional
4 fee of \$10 to each person to whom a permit is issued for
5 administrative costs incurred in compliance with this section.
6 The assessment office may provide for the electronic submission
7 of a permit through electronic mail or any other means of
8 electronic transmission or uploading of the permit in its
9 existing form. The provision of permits or permit information to
10 the assessment office as required by this section shall not be
11 subject to the procedures of the act of February 14, 2008
12 (P.L.6, No.3), known as the Right-to-Know Law. No agency, public
13 official or public employee shall be liable for civil or
14 criminal damages or penalties for complying with this section.

15 (a.1) Noncompliance.--

16 (1) If the county assessment office has reason to
17 believe that there is noncompliance with subsection (a), the
18 assessment office shall provide written notice to the
19 municipality and, if applicable, a third-party agency, or to
20 the Department of Labor and Industry in the case of
21 noncompliance by the Department of Labor and Industry. Upon
22 receipt of the notice, the municipality, third-party agency
23 or Department of Labor and Industry shall investigate and
24 consult with the assessment office and take any steps the
25 municipality, third-party agency or Department of Labor and
26 Industry deems necessary to remediate the noncompliance.

27 (2) If, after consultation, noncompliance with
28 subsection (a) continues, the assessment office may, in the
29 case of continuing noncompliance after notice by a
30 municipality or third-party agency, institute an action in

1 mandamus before the court of common pleas to compel
2 compliance with subsection (a). Should the court determine
3 that the noncompliance is intentional, the court shall award
4 any costs, disbursements, reasonable attorney fees and
5 witness fees relating to the action to the assessment office.

6 (b) Substantial improvement.--If a person makes improvements
7 to any real property, other than painting of or normal regular
8 repairs to a building, aggregating more than [\$2,500] \$4,000 in
9 value and a building permit is not required for the
10 improvements, the property owner shall furnish the following
11 information to the board:

12 (1) the name and address of the person owning the
13 property;

14 (2) a description of the improvements made or to be made
15 to the property; and

16 (3) the dollar value of the improvements.

17 (b.1) County improvement certification form.--The county
18 commissioners may, by ordinance, require that all persons making
19 substantial improvements to property as set forth in subsection
20 (b) submit to the county assessment office a county improvement
21 certification form setting forth the information in subsection
22 (b) prior to beginning any substantial improvement, regardless
23 of whether a building permit is required. The county may provide
24 for the electronic submission of the form and a fee no greater
25 than \$5. The county may cooperate with a municipality, third-
26 party agency or the Department of Labor and Industry in the
27 distribution of forms.

28 (c) [Penalty.--Any person that intentionally fails to comply
29 with the provisions of subsection (b) or intentionally falsifies
30 the information provided, shall, upon conviction in a summary

1 proceeding, be sentenced to pay a fine of not more than \$50.]

2 Civil penalty.--

3 (1) The board may assess a civil penalty of not more
4 than \$100 upon a person for intentionally failing to comply
5 with the provisions of subsection (b) or an ordinance enacted
6 in accordance with subsection (b.1) or intentionally
7 falsifying the information required.

8 (2) If a civil penalty is assessed against a person
9 under paragraph (1), the board must notify the person by
10 certified mail of the nature of the violation and the amount
11 of the civil penalty and that the person may notify the board
12 in writing within 10 calendar days that the person wishes to
13 contest the civil penalty. If, within 10 calendar days from
14 the receipt of that notification, the person does not notify
15 the county board of assessment of the person's intent to
16 contest the assessed penalty, the civil penalty shall become
17 final.

18 (3) If timely notification of the intent to contest the
19 civil penalty is given, the person contesting the civil
20 penalty shall be provided with a hearing in accordance with 2
21 Pa.C.S. Chs. 5 Subch. B (relating to practice and procedure
22 of local agencies) and 7 Subch. B (relating to judicial
23 review of local agency action).

24 (d) Existing provisions preserved.--Nothing in this section
25 shall supersede or preempt any ordinance, resolution or other
26 requirement of a county to submit information on substantial
27 improvements in effect on the effective date of this subsection.

28 (e) Substantial improvement value.--Beginning January 1 of
29 the year immediately following the effective date of this
30 subsection and each January 1 thereafter, the amount set forth

1 in subsection (b) shall be increased by the percentage change in
2 the Consumer Price Index for All Urban Consumers (CPI-U) for the
3 Pennsylvania, New Jersey, Delaware and Maryland area, for the
4 most recent 12-month period that figures have been officially
5 reported by the United States Department of Labor, Bureau of
6 Labor Statistics immediately prior to the date the adjustment is
7 due to take effect. The chief assessor shall maintain an
8 accurate record of the adjusted amount applicable for each year.

9 Section 3. This act shall take effect in 60 days.