

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 2013

Session of  
1978

INTRODUCED BY MORRIS, FRYER, RUGGIERO, LOGUE, WEIDNER,  
LIVENGOOD, ZELLER, LEVI, S. E. HAYES JR., SCHEAFFER AND  
A. C. FOSTER JR., JANUARY 30, 1978

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JANUARY 30, 1978

AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled "An  
2 act concerning townships of the second class; and amending,  
3 revising, consolidating, and changing the law relating  
4 thereto," authorizing the sale of land to nonprofit medical  
5 corporations and changing the amount of consideration for  
6 real estate sold other than by bid.

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

9 Section 1. Clause II of section 701, act of May 1, 1933  
10 (P.L.103, No.69), known as "The Second Class Township Code,"  
11 reenacted and amended July 10, 1947 (P.L.1481, No.567) and  
12 amended June 27, 1974 (P.L.399, No.137), is amended to read:

13 Section 701. Suits; Property.--Any township of the second  
14 class may--

15 \* \* \*

16 II. Purchase, acquire by gift, or otherwise, hold, lease,  
17 let and convey, by sale or lease, such real and personal  
18 property as shall be deemed to be to the best interest of the  
19 township: Provided, That no real estate owned by the township

1 shall be sold for a consideration in excess of [five] fifteen  
2 hundred dollars, except to the highest bidder after due notice  
3 by advertisement for bids in one newspaper of general  
4 circulation in the township. Such advertisement shall be  
5 published once not less than ten days prior to the date fixed  
6 for the opening of bids, and such date for opening bids shall be  
7 announced in such advertisement. The acceptance of bids shall be  
8 made only by public announcement at a regular or special meeting  
9 of the board of township supervisors. All bids shall be accepted  
10 on the condition that payment of the purchase price in full  
11 shall be made within sixty days of the acceptance of bids.

12       Except as otherwise hereinafter provided in the case of  
13 personal property of an estimated sale value of less than two  
14 hundred dollars, no township personal property shall be disposed  
15 of, by sale or otherwise, except upon approval of the board of  
16 township supervisors, by ordinance or resolution. In cases where  
17 the board of township supervisors shall approve a sale of such  
18 property, it shall estimate the sale value of the entire lot to  
19 be disposed of. If the board of township supervisors shall  
20 estimate the sale value to be two hundred dollars or more, the  
21 entire lot shall be advertised for sale once, in at least one  
22 newspaper of general circulation in the township, not less than  
23 ten days prior to the date fixed for the opening of bids, and  
24 such date of opening of bids shall be announced in such  
25 advertisement, and sale of the property so advertised shall be  
26 made to the best responsible bidder. The board of township  
27 supervisors shall have authority, by resolution, to adopt a  
28 procedure for the sale of surplus personal property of an  
29 estimated sale value of less than two hundred dollars and the  
30 approval of the board of township supervisors shall not be

1 required for any individual sale that shall be made in  
2 conformity to such procedure.  
3 the board of township supervisors may elect to accept such  
4 nominal consideration for such sale as it shall deem  
5 appropriate.

6 Any officer who sells and each officer who votes in favor of  
7 selling any township property, either real or personal, without  
8 the provisions of this section having been complied with, shall  
9 be subject to surcharge in the amount of any loss sustained by  
10 the township by reason of such sale.

11 \* \* \*

12 Section 2. Section 702 of the act is amended by adding a  
13 clause to read:

14 Section 702. Supervisors to Exercise Powers.--The corporate  
15 powers of townships of the second class shall be exercised by  
16 the township supervisors. Where no specific authority is given  
17 for the expenditures incident to the exercise of any power  
18 hereinafter conferred, or where no specific fund is designated  
19 from which such expenditures shall be made, appropriations for  
20 such expenditures shall be made only from the general township  
21 fund. In addition to the duties imposed upon them by section 516  
22 hereof, they shall have power--

23 \* \* \*

24 LXXI. Sale of real property to nonprofit medical service  
25 corporation.--To sell township owned real property to a  
26 nonprofit medical service corporation for its exclusive use as a  
27 site for a medical service facility.

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