

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2712 Session of 2006

INTRODUCED BY ROSS, ARGALL, ARMSTRONG, BALDWIN, BELFANTI, BENNINGHOFF, BEYER, BOYD, BUNT, CAPPELLI, CLYMER, CORNELL, CRAHALLA, CREIGHTON, DENLINGER, GEIST, GERGELY, GINGRICH, GOOD, GOODMAN, GRELL, HARHAI, HARHART, HARPER, HARRIS, HERSHEY, HESS, KOTIK, McILHATTAN, McILHINNEY, MILLARD, NICKOL, PALLONE, PAYNE, PHILLIPS, PYLE, RUBLEY, SATHER, SAYLOR, SEMMEL, SIPTROTH, B. SMITH, SONNEY, STABACK, E. Z. TAYLOR, J. TAYLOR, TIGUE AND YOUNGBLOOD, JUNE 5, 2006

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 21, 2006

AN ACT

1 Amending the act of June 23, 1931 (P.L.932, No.317), entitled  
2 "An act relating to cities of the third class; and amending,  
3 revising, and consolidating the law relating thereto,"  
4 further providing for sales of personal property.

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

7 Section 1. Section 1917 of the act of June 23, 1931  
8 (P.L.932, No.317), known as The Third Class City Code, reenacted  
9 and amended June 28, 1951 (P.L.662, No.164) and amended July 11,  
10 1996 (P.L.647, No.109), is amended to read:

11 Section 1917. Sales of Personal Property.--No city personal  
12 property shall be disposed of by sale or otherwise except upon  
13 approval of council by ordinance or resolution. In cases where  
14 council shall approve a sale of city personal property, it shall  
15 estimate the sale value of the entire lot to be disposed of. If

1 council shall estimate such sale value to be less than one  
2 thousand dollars, it shall require a notice of the proposed sale  
3 to be posted for at least ten days on the bulletin board in the  
4 city hall, describing and itemizing the property to be sold and  
5 directing that bids may be made thereon at the office of the  
6 city clerk. Thereafter, council may sell such property, in whole  
7 or in part, for the best price or prices obtainable. If council  
8 shall estimate the sale value to be one thousand dollars or  
9 more, the entire lot shall be advertised for sale once in at  
10 least one newspaper, in accordance with the provisions of  
11 section one hundred nine of this act, and sale of the property  
12 so advertised shall be made to the best responsible bidder; and  
13 the bids shall not be opened until at least ten days after the  
14 said advertisement. Council may sell any such property at  
15 auction, but the provisions as to notice contained in this  
16 section shall be likewise observed as to the holding of such  
17 auction sales. ~~An "auction" shall include an online or~~ ←  
18 ~~electronic auction sale.~~ AN AUCTION MAY BE CONDUCTED BY MEANS OF ←  
19 AN ONLINE OR ELECTRONIC AUCTION SALE. During an electronic  
20 auction sale, bids shall be accepted electronically at the time  
21 and in the manner designated in the advertisement. During the  
22 electronic auction, each bidder shall have the capability to  
23 view the bidder's bid rank or the high bid price. Bidders may  
24 increase their bid prices during the electronic auction. The  
25 record of the electronic auction shall be accessible for public  
26 inspection. The purchase price shall be paid by the high bidder  
27 immediately or at a reasonable time after the conclusion of the  
28 electronic auction as determined by council. In the event that  
29 shipping costs are incurred, they shall be paid by the high  
30 bidder. A city that has complied with the advertising

1 requirements of this section may provide additional public  
2 notice of the sale by bids or auction in any manner deemed  
3 appropriate by council. The advertisement for electronic auction  
4 sales authorized in this section shall include the Internet  
5 address or means of accessing the electronic auction and the  
6 date, time and duration of the electronic auction. The  
7 provisions of this section shall not be mandatory where city  
8 personal property is to be traded-in or exchanged for new city  
9 personal property.

10 Section 2. This act shall take effect immediately.