

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1604 Session of
2009

INTRODUCED BY READSHAW, SOLOBAY, BRADFORD, CARROLL, EVERETT,
FABRIZIO, FRANKEL, GERGELY, HORNAMAN, W. KELLER, LEVDANSKY,
McGEEHAN, MUSTIO, PRESTON, SIPTROTH, VULAKOVICH, WHITE,
GIBBONS AND HOUGHTON, JUNE 3, 2009

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JUNE 3, 2009

AN ACT

1 Amending the act of April 8, 1949 (P.L.418, No.58), entitled,
2 "An act to provide for and regulate the accumulation,
3 investment, and expenditure of funds by cities, boroughs,
4 incorporated towns and townships for preparing plans for
5 sewage disposal systems, and for the construction,
6 improvement or replacement of sewage disposal systems for
7 which plans have been approved by the Sanitary Water Board of
8 the Commonwealth," further providing for definitions and for
9 expenditure of fund.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 1 of the act of April 8, 1949 (P.L.418,
13 No.58), entitled, "An act to provide for and regulate the
14 accumulation, investment, and expenditure of funds by cities,
15 boroughs, incorporated towns and townships for preparing plans
16 for sewage disposal systems, and for the construction,
17 improvement or replacement of sewage disposal systems for which
18 plans have been approved by the Sanitary Water Board of the
19 Commonwealth," is amended to read:

20 Section 1. Definitions.--[As used in this act, the word or

1 phrase] The following words and phrases when used in this act
2 shall have the meanings given to them in this section unless the
3 context clearly indicates otherwise:

4 "Department" means the Department of Environmental Protection
5 of the Commonwealth.

6 "Municipality" means any city, borough, incorporated town, or
7 township.

8 "[Municipality] Municipal Authority" means a body politic and
9 corporate created pursuant to the provisions of the Municipality
10 Authorities Act of 1945 [or], the Municipality Authorities Act
11 of 1935[.] or 53 Pa.C.S. Ch. 56 (relating to municipal
12 authorities).

13 "Private Lateral Sewer Line" means a private sewer line
14 serving a structure or dwelling, running from the structure or
15 dwelling to a public sewer line.

16 "Sewage Disposal System" means a system for the disposal of
17 sewage, including all pipes carrying the sewage and all sewage
18 treatment works.

19 "Special Fund" means a sewage disposal system fund created,
20 invested and expended in accordance with this act.

21 "Sanitary Water Board" means the Sanitary Water Board of the
22 Commonwealth.

23 Section 2. Section 4 of the act is amended to read:

24 Section 4. Expenditure of Fund.--

25 (1) The moneys in any such special fund may be expended by
26 the municipality singly, or jointly with the Federal Government,
27 the Commonwealth or any department or agency thereof, or with
28 one or more other municipalities or [municipality] municipal
29 authorities, only for preparing plans for a sewage disposal
30 system and for the construction, improvement or replacement of a

sewage disposal system for which plans have been approved by the
[Sanitary Water Board.] department.

(2) Municipalities and municipal authorities are authorized
to use public funds for the improvement, extension, repair or
rehabilitation of private lateral sewer lines connected to
public sewer systems, where the municipality or municipal
authority determines that such activities will benefit the
public sewer system. No municipality or municipal authority
which has completed such activities shall be deemed to be the
owner of such private lateral sewer lines, or to have any
further responsibility to conduct such activities, unless a
municipality or municipal authority makes an affirmative
determination to accept such obligations.

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