

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2022 Session of 2011

INTRODUCED BY PEIFER, BROOKS, PYLE, AUMENT, BARRAR, BLOOM, BOBACK, BOYD, R. BROWN, CALTAGIRONE, CARROLL, CAUSER, CLYMER, CUTLER, DALEY, DAVIS, DUNBAR, EVANKOVICH, EVERETT, GABLER, GEIST, GIBBONS, GILLEN, GINGRICH, GODSHALL, GOODMAN, GRELL, GROVE, HARHART, HEFFLEY, HESS, KAUFFMAN, M. K. KELLER, KILLION, LAWRENCE, MAJOR, MANN, MARSHALL, MASSER, MILLARD, MILLER, MILNE, MOUL, MUNDY, OBERLANDER, PICKETT, QUINN, REED, REICHLEY, ROAE, ROCK, ROSS, SAINATO, SAYLOR, SCAVELLO, CULVER, SIMMONS, SONNEY, STEPHENS, STERN, TALLMAN, TOEPEL, TOOHIL, VULAKOVICH, WATSON, YOUNGBLOOD, MURT, RAPP, DENLINGER, DAVIDSON, BAKER, PASHINSKI, MALONEY, BRADFORD AND HUTCHINSON, NOVEMBER 18, 2011

SENATOR EARLL, COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, IN SENATE, AS AMENDED, JUNE 19, 2012

AN ACT

1 Providing for the Pennsylvania Business Permitting Portal within
2 the Department of Community and Economic Development; and;
3 creating the Pennsylvania Business Permitting Portal Advisory
4 Board COMMITTEE; PROVIDING FOR COOPERATION BETWEEN THE
5 COMMITTEE AND COMMONWEALTH AGENCIES AND FOR PRESERVATION OF
6 COMMONWEALTH AGENCY AUTHORITY; AND PROVIDING FOR UPGRADES TO
7 INFORMATION TECHNOLOGY SYSTEMS.



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

10 Section 1. Short title.

11 This act shall be known and may be cited as the Pennsylvania
12 Business Permitting Portal Act.

13 Section 2. Intent and purpose.



14 It is the intent of this act and its purpose shall be:

1 ~~(1) To provide one stop services to assist businesses in~~
2 ~~identifying and securing appropriate permits, licenses,~~
3 ~~certifications, applications, forms and registrations needed~~
4 ~~to establish and operate a business in this Commonwealth.~~

5 ~~(2) To establish the Pennsylvania Business Permitting~~
6 ~~Portal to provide an electronic single access point to aid~~
7 ~~existing and potential business owners in completing the~~
8 ~~various business registration forms and permit applications~~
9 ~~required to establish and operate a business in this~~
10 ~~Commonwealth.~~

11 ~~(3) To provide for the compilation of a comprehensive~~
12 ~~listing of all permits required by Commonwealth agencies and~~
13 ~~categorize the required permits into a format that is readily~~
14 ~~available to business owners.~~

15 ~~(4) To promote efficient dialogue between permit~~
16 ~~applicants and the Commonwealth agency responsible for the~~
17 ~~review of permit applications.~~

18 Section 3 2. Definitions. ←

19 The following words and phrases when used in this act shall
20 have the meanings given to them in this section unless the
21 context clearly indicates otherwise:

22 ~~"Commonwealth agencies." Any office, department, authority,~~ ←
23 ~~board or commission of the Executive Department of the~~
24 ~~Commonwealth.~~

25 ~~"Department." The Department of Community and Economic~~
26 ~~Development of the Commonwealth.~~

27 ~~"Individual business account." A secure online account~~
28 ~~maintained by the Department of Community and Economic~~
29 ~~Development to store individualized information relating to a~~
30 ~~business's activities through the permitting portal.~~

1 ~~"Local permitting authorities." Any municipality or~~
2 ~~municipal authority which has the authority to issue a permit.~~
3 AGENCY." AN EXECUTIVE AGENCY OR AN INDEPENDENT AGENCY. ←

4 "COMMITTEE." THE PENNSYLVANIA BUSINESS PERMITTING PORTAL
5 ADVISORY COMMITTEE.

6 "EXECUTIVE AGENCY." ANY DEPARTMENT, BOARD, COMMISSION,
7 AUTHORITY OR OTHER OFFICER OR AGENCY OF THE COMMONWEALTH THAT IS
8 SUBJECT TO THE POLICY SUPERVISION AND CONTROL OF THE GOVERNOR.

9 "INDEPENDENT AGENCY." ANY BOARD, COMMISSION OR OTHER AGENCY
10 OR OFFICER OF THE COMMONWEALTH WHICH IS NOT SUBJECT TO THE
11 POLICY SUPERVISION AND CONTROL OF THE GOVERNOR.

12 "Permit." ~~The whole, part or the renewal of any~~ ANY permit, ←
13 ~~certificate, license, approval, CHARTER, registration, charter~~ ←
14 LICENSE or any other form of ~~permission issued~~ AUTHORIZATION ←
15 ISSUED OR REQUIRED by a Commonwealth agency to allow for the
16 operation of a business in this Commonwealth.

17 ~~"Permit application." Any request to a Commonwealth agency~~ ←
18 ~~which is necessary to obtain a permit.~~

19 "Permitting portal." ~~The~~ A SINGLE, ONLINE ACCESS POINT, ←
20 ESTABLISHED UNDER SECTION 7 AS THE Pennsylvania Business
21 Permitting Portal ~~established under section 4~~ THAT AIDS EXISTING ←
22 AND POTENTIAL BUSINESS OWNERS IN COMPLETING THE NECESSARY PERMIT
23 APPLICATIONS AND FORMS ASSOCIATED WITH ESTABLISHING AND
24 OPERATING A BUSINESS IN THIS COMMONWEALTH.

25 ~~"Secretary." The Secretary of the Community and Economic~~ ←
26 ~~Development.~~

27 ~~Section 4. Establishment of the Pennsylvania Business~~
28 ~~Permitting Portal.~~

29 ~~(a) Establishment. The department shall establish the~~
30 ~~Pennsylvania Business Permitting Portal to provide a single~~

1 ~~online access point to aid existing and potential business~~
2 ~~owners in completing the necessary permit applications~~
3 ~~associated with establishing and operating a business in this~~
4 ~~Commonwealth.~~

5 ~~(b) Permitting portal functions. The permitting portal~~
6 ~~shall, at a minimum, allow for the following:~~

7 ~~(1) The creation of an individual business account to~~
8 ~~store general information on the business, which will be used~~
9 ~~to automatically fill in recurring fields on a permit~~
10 ~~application.~~

11 ~~(2) The electronic submission of a permit application.~~

12 ~~(3) The electronic submission of permit fees or fines.~~

13 ~~(4) The tracking of status of payments from Commonwealth~~
14 ~~agencies to contractors.~~

15 ~~(5) The tracking of pending permit applications.~~

16 ~~(6) The recording of electronic signatures.~~

17 ~~(7) Access to customized, agency created to do~~
18 ~~checklists specific to the individual business account.~~

19 ~~(8) Online interaction with the department to resolve~~
20 ~~difficulties with the permitting portal.~~

21 ~~(9) Online interaction with Commonwealth agencies to~~
22 ~~resolve questions relating to permit applications.~~

23 ~~(10) The protection of the confidentiality of all~~
24 ~~information submitted through the permitting portal.~~

25 ~~(11) The recording of backup records of all activities,~~
26 ~~including time stamp information on the submission of permit~~
27 ~~applications.~~

28 ~~(12) The listing of information relating to local permit~~
29 ~~application information for relevant local permitting~~
30 ~~authorities.~~



1 SECTION 3. PENNSYLVANIA BUSINESS PERMITTING PORTAL ADVISORY
2 COMMITTEE.

3 (A) COMMITTEE.--THE GOVERNOR SHALL ESTABLISH A COMMITTEE TO
4 EXAMINE THE ESTABLISHMENT, DEVELOPMENT, IMPLEMENTATION AND
5 MAINTENANCE OF A PERMITTING PORTAL, TO BE KNOWN AS THE
6 PENNSYLVANIA BUSINESS PERMITTING PORTAL. ALL EXECUTIVE AGENCIES
7 SHALL COOPERATE WITH AND PROVIDE ASSISTANCE REQUIRED BY THE
8 COMMITTEE TO CARRY OUT ITS DUTIES UNDER THIS SECTION.

9 (B) COMPOSITION.--THE COMMITTEE SHALL CONSIST OF THE
10 FOLLOWING:

11 (1) THREE MEMBERS WHO SHALL BE SELECTED BY THE GOVERNOR.

12 (2) ONE MEMBER WHO SHALL BE SELECTED BY THE PRESIDENT
13 PRO TEMPORE OF THE SENATE.

14 (3) ONE MEMBER WHO SHALL BE SELECTED BY THE MINORITY
15 LEADER OF THE SENATE.

16 (4) ONE MEMBER WHO SHALL BE SELECTED BY THE SPEAKER OF
17 THE HOUSE OF REPRESENTATIVES.

18 (5) ONE MEMBER WHO SHALL BE SELECTED BY THE MINORITY
19 LEADER OF THE HOUSE OF REPRESENTATIVES.

20 (C) SERVICE AND REPLACEMENT.--ALL MEMBERS OF THE COMMITTEE
21 SHALL SERVE AT THE PLEASURE OF THEIR APPOINTING AUTHORITY.

22 (D) COMPENSATION.--COMMITTEE MEMBERS SHALL RECEIVE NO
23 COMPENSATION FOR THEIR SERVICES ON THE COMMITTEE.

24 (E) MEETINGS.--MEMBERS OF THE COMMITTEE SHALL BE SELECTED
25 WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS SECTION. AN
26 ORGANIZATIONAL MEETING OF THE COMMITTEE SHALL TAKE PLACE NOT
27 LATER THAN 60 DAYS FOLLOWING THE FIRST COMMITTEE MEMBER
28 SELECTION.

29 (F) DUTIES.--THE COMMITTEE SHALL:

30 (1) IDENTIFY THE EXECUTIVE AGENCIES THAT WILL BE

1 (2) Compatible with or that may be made compatible with
2 the permitting portal.

3 (b) Cooperation.--The ~~department~~ COMMITTEE and Commonwealth ←
4 agencies shall cooperate in good faith to ~~integrate~~ IDENTIFY the ←
5 maximum number of permits ~~into~~ THAT MAY BE ESTABLISHED AND ←
6 MAINTAINED IN the permitting portal.

7 Section ~~6~~ 5. Preservation of Commonwealth agency authority. ←

8 ~~(a) Existing regulatory authority. This act shall not~~ ←
9 ~~supersede any regulatory authority granted to any Commonwealth~~
10 ~~agency.~~

11 ~~(b) Existing permit authority. A Commonwealth agency listed~~
12 ~~on the department's portal shall maintain final authority to do~~
13 ~~the following:~~

14 ~~(1) Determine the permits appropriate for inclusion on~~
15 ~~the permitting portal.~~

16 ~~(2) Approve or deny permits according to applicable law.~~

17 ~~(3) Determine the requirements for submission and~~
18 ~~payment of permit application fees and fines.~~

19 Section ~~7~~. Liability.

20 ~~This act shall not impose any liability on the department~~
21 ~~resulting from the operation of the permitting portal.~~

22 Section ~~8~~. Pennsylvania Business Permitting Portal Advisory
23 Board.

24 ~~(a) Establishment. There is established within the~~
25 ~~department an advisory board known as the Pennsylvania Business~~
26 ~~Permitting Portal Advisory Board.~~

27 ~~(b) Duties. The board shall advise the department on ways~~
28 ~~to ensure that the permitting portal system is operated in an~~
29 ~~effective and user friendly manner for existing and potential~~
30 ~~business owners.~~

1 ~~(c) Membership. The board shall consist of seven members as~~
2 ~~follows:~~

3 ~~(1) The Secretary of Community and Economic Development~~
4 ~~or his designee.~~

5 ~~(2) One member appointed by the President pro tempore of~~
6 ~~the Senate.~~

7 ~~(3) One member appointed by the Minority Leader of the~~
8 ~~Senate.~~

9 ~~(4) One member appointed by the Speaker of the House of~~
10 ~~Representatives.~~

11 ~~(5) One member appointed by Minority Leader of the House~~
12 ~~of Representatives.~~

13 ~~(6) One member appointed by the Governor representing~~
14 ~~small business.~~

15 ~~(7) One member appointed by the Governor representing~~
16 ~~business or industry.~~

17 ~~(d) Chairperson. The secretary or his designee shall serve~~
18 ~~as the chairperson. The board may elect additional officers as~~
19 ~~it deems necessary.~~

20 ~~(e) Terms. Members shall serve without compensation at the~~
21 ~~pleasure of the respective appointing authority, but shall be~~
22 ~~reimbursed for expenses.~~ NOTHING IN THIS ACT SHALL BE CONSTRUED ←

23 TO SUPERSEDE ANY STATUTORY OR REGULATORY AUTHORITY GRANTED TO
24 ANY COMMONWEALTH AGENCY. EACH COMMONWEALTH AGENCY SHALL MAINTAIN
25 FINAL AUTHORITY TO APPROVE, DENY, REVOKE OR SUSPEND PERMITS
26 ACCORDING TO APPLICABLE LAW.

27 SECTION 6. PENNSYLVANIA BUSINESS PERMITTING PORTAL.

28 UPON COMPLETION AND SUBMISSION OF THE REPORT, AS REQUIRED BY
29 THIS ACT, THE OFFICE OF ADMINISTRATION SHALL ESTABLISH, DEVELOP
30 AND IMPLEMENT THE PENNSYLVANIA BUSINESS PERMITTING PORTAL IN

1 ACCORDANCE WITH THE TIMELINE AND RECOMMENDATIONS ESTABLISHED IN
2 THE REPORT.

3 SECTION 7. UPDATES TO INFORMATION TECHNOLOGY SYSTEMS.

4 UPON THE COMPLETION AND SUBMISSION OF THE REPORT, AS REQUIRED
5 BY THIS ACT, THE OFFICE OF ADMINISTRATION MAY ENTER INTO
6 CONTRACTS WITH THIRD-PARTY PROVIDERS IN ORDER TO UPGRADE AND
7 MAINTAIN INFORMATION TECHNOLOGY SYSTEMS NECESSARY FOR THE
8 CREATION, DEVELOPMENT AND ESTABLISHMENT OF THE PERMITTING
9 PORTAL.

10 Section ~~23~~ 8. Effective date. 

11 This act shall take effect ~~in 60 days~~ JANUARY 1, 2013. 