

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 216 Session of 2013

INTRODUCED BY BLAKE, TEPLITZ, ERICKSON, YUDICHAK, KASUNIC,  
FONTANA, GORDNER, FARNESE, COSTA, SOLOBAY, BROWNE,  
WASHINGTON, HUGHES, FERLO AND BREWSTER, MARCH 15, 2013

REFERRED TO URBAN AFFAIRS AND HOUSING, MARCH 15, 2013

AN ACT

1 Amending the act of December 3, 1959 (P.L.1688, No.621),  
2 entitled, as amended, "An act to promote the health, safety  
3 and welfare of the people of the Commonwealth by broadening  
4 the market for housing for persons and families of low and  
5 moderate income and alleviating shortages thereof, and by  
6 assisting in the provision of housing for elderly persons  
7 through the creation of the Pennsylvania Housing Finance  
8 Agency as a public corporation and government  
9 instrumentality; providing for the organization, membership  
10 and administration of the agency, prescribing its general  
11 powers and duties and the manner in which its funds are kept  
12 and audited, empowering the agency to make housing loans to  
13 qualified mortgagors upon the security of insured and  
14 uninsured mortgages, defining qualified mortgagors and  
15 providing for priorities among tenants in certain instances,  
16 prescribing interest rates and other terms of housing loans,  
17 permitting the agency to acquire real or personal property,  
18 permitting the agency to make agreements with financial  
19 institutions and Federal agencies, providing for the purchase  
20 by persons of low and moderate income of housing units, and  
21 approving the sale of housing units, permitting the agency to  
22 sell housing loans, providing for the promulgation of  
23 regulations and forms by the agency, prescribing penalties  
24 for furnishing false information, empowering the agency to  
25 borrow money upon its own credit by the issuance and sale of  
26 bonds and notes and by giving security therefor, permitting  
27 the refunding, redemption and purchase of such obligations by  
28 the agency, prescribing remedies of holders of such bonds and  
29 notes, exempting bonds and notes of the agency, the income  
30 therefrom, and the income and revenues of the agency from  
31 taxation, except transfer, death and gift taxes; making such  
32 bonds and notes legal investments for certain purposes; and  
33 indicating how the act shall become effective," further

1 providing for definitions and for fund.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 Section 1. Section 401-D of the act of December 3, 1959  
5 (P.L.1688, No.621), known as the Housing Finance Agency Law, is  
6 amended by adding a definition to read:

7 Section 401-D. Definitions.

8 The following words and phrases when used in this article  
9 shall have the meanings given to them in this section unless the  
10 context clearly indicates otherwise:

11 "County." A county of the first, second, second class A,  
12 third, fourth, fifth, sixth, seventh or eighth class.

13 \* \* \*

14 Section 2. Section 406-D of the act is amended by adding a  
15 subsection to read:

16 Section 406-D. Fund.

17 \* \* \*

18 (c) Optional county funding.--

19 (1) The governing body of each county may, by ordinance,  
20 increase fees charged by the recorder of deeds for recording  
21 any documents except:

22 (i) In counties of the second, second class A,  
23 third, fourth, fifth, sixth, seventh and eighth class,  
24 deeds and mortgages.

25 (ii) In counties of the first class, deeds,  
26 mortgages and related mortgage documents that are or may  
27 be subject to 53 Pa.C.S. Ch. 60 Subch. C (relating to  
28 affordable housing programs and funding in cities of  
29 first class).

30 (2) The governing body of each county shall notify the

1 agency in writing upon adoption of an ordinance provided for  
2 under paragraph (1). The notice shall also include a list of  
3 the fees to be increased.

4 (3) The additional fees levied by a governing body of a  
5 county of the second, second class A, third, fourth, fifth,  
6 sixth, seventh or eighth class under paragraph (1) shall not  
7 exceed 100% of the amounts charged under the act of June 12,  
8 1919 (P.L.476, No.240), referred to as the Second Class  
9 County Recorder of Deeds Fee Law, or the act of April 8, 1982  
10 (P.L.310, No.87), referred to as the Recorder of Deeds Fee  
11 Law, on the effective date of this subsection. The additional  
12 fees levied by a governing body of a county of the first  
13 class under paragraph (1) shall not exceed 100% of the  
14 amounts charged by a city or county of the first class for  
15 recording documents other than deeds, mortgages and other  
16 related mortgage documents on the effective date of this  
17 subsection.

18 (4) Money collected as a result of the fee imposed under  
19 this subsection shall be allocated as follows:

20 (i) At least 75% of the money collected shall be  
21 deposited into the fund.

22 (ii) A county may retain up to 25% of the money  
23 collected to be utilized for local affordable housing  
24 efforts, and may, at the discretion of the county,  
25 deposit the money into an account already established for  
26 such purpose under 53 Pa.C.S. § 6012 (relating to  
27 disposition of proceeds in counties).

28 (5) The agency shall give preference to applications for  
29 funding under this subsection if the proposed project is  
30 located within a county that has enacted an ordinance under

1     paragraph (1).

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