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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 795 Session of  
2017

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INTRODUCED BY DAVIS, READSHAW, O'NEILL, V. BROWN, CRUZ, NEILSON,  
M. QUINN AND KRUEGER-BRANEKY, MARCH 10, 2017

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REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 10, 2017

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AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania  
2 Consolidated Statutes, in general provisions relating to  
3 governing body, providing for municipal standards for  
4 recovery residences; and making an editorial change.

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

7 Section 1. Subchapter A of Chapter 13 of Title 53 of the  
8 Pennsylvania Consolidated Statutes is amended to read:

9 Subchapter A

10 [(Reserved)] Powers and Duties

11 Sec.

12 1301. Municipal standards for recovery residences.

13 § 1301. Municipal standards for recovery residences.

14 (a) General rule.--The governing body of a municipality may  
15 adopt an ordinance that establishes standards for recovery  
16 residences that comply with Federal and State fair housing laws  
17 and the Americans with Disabilities Act of 1990 (Public Law 101-  
18 336, 104 Stat. 327). Such an ordinance may include provisions  
19 relating to:

1           (1) Written notification that specifies for a recovery  
2 residence:

3           (i) The name and address of the structure of the  
4 recovery residence.

5           (ii) The property owners' names, address and contact  
6 telephone number.

7           (iii) If the property is leased, a copy of the lease  
8 stating that the property will be used as a recovery  
9 residence.

10          (2) Supervision of the residents and staff employed by  
11 or volunteering for the recovery residence.

12          (3) Establishment and maintenance of an operation plan  
13 that facilitates the rehabilitation process and addresses the  
14 maintenance of the property and noise abatement consistent  
15 with other applicable ordinances.

16          (b) Definition.--For purposes of this section, "recovery  
17 residence" means a residential dwelling unit or other form of  
18 group housing that is offered or advertised through any means,  
19 including oral, written, electronic or printed means, by any  
20 person or entity as a residence that provides a peer-supported,  
21 alcohol-free and drug-free living environment. The term includes  
22 a residence described as a sober house or a house where there  
23 are residents in recovery from alcohol or other drug addiction.

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