
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1360 Session of
2022

INTRODUCED BY DiSANTO, LAUGHLIN AND MENSCH, OCTOBER 24, 2022

REFERRED TO LOCAL GOVERNMENT, OCTOBER 24, 2022

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in municipal authorities, further
3 providing for purposes and powers.

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

6 Section 1. Section 5607(d)(9) and (34) of Title 53 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 5607. Purposes and powers.

9 * * *

10 (d) Powers.--Every authority may exercise all powers
11 necessary or convenient for the carrying out of the purposes set
12 forth in this section, including, but without limiting the
13 generality of the foregoing, the following rights and powers:

14 * * *

15 (9) To fix, alter, charge and collect rates, including
16 the rates authorized under paragraph (34) against the
17 Commonwealth or a department, board, commission or
18 instrumentality of the Commonwealth, and other charges in the
19 area served by its facilities at reasonable and uniform rates

1 to be determined exclusively by it for the purpose of
2 providing for the payment of the expenses of the authority,
3 the construction, improvement, repair, maintenance and
4 operation of its facilities and properties and, in the case
5 of an authority created for the purpose of making business
6 improvements or providing administrative services, a charge
7 for such services which is to be based on actual benefits and
8 which may be measured on, among other things, gross sales or
9 gross or net profits, the payment of the principal of and
10 interest on its obligations and to fulfill the terms and
11 provisions of any agreements made with the purchasers or
12 holders of any such obligations, or with a municipality and
13 to determine by itself exclusively the services and
14 improvements required to provide adequate, safe and
15 reasonable service, including extensions thereof, in the
16 areas served. If the service area includes more than one
17 municipality, the revenues from any project shall not be
18 expended directly or indirectly on any other project unless
19 such expenditures are made for the benefit of the entire
20 service area. Any person questioning the reasonableness or
21 uniformity of a rate fixed by an authority or the adequacy,
22 safety and reasonableness of the authority's services,
23 including extensions thereof, may bring suit against the
24 authority in the court of common pleas of the county where
25 the project is located or, if the project is located in more
26 than one county, in the court of common pleas of the county
27 where the principal office of the project is located. The
28 court of common pleas shall have exclusive jurisdiction to
29 determine questions involving rates or service. Except in
30 municipal corporations having a population density of 300

1 persons or more per square mile, all owners of real property
2 in eighth class counties may decline in writing the services
3 of a solid waste authority. The owner of multiple residential
4 units that are served by a single water meter may
5 periodically request the authority to adjust the amount
6 billed by showing a minimum of five consecutive years of
7 actual usage data to determine if the amount billed exceeds
8 the actual usage by 30% or more. If the usage data shows that
9 an adjustment is needed, the authority shall appropriately
10 adjust the billing and use the adjusted amount going forward.
11 When calculating the new amount, the authority may include up
12 to 10% over the amount used. After an initial adjustment, the
13 owner may not request another adjustment for five years after
14 the adjustment is completed.

15 * * *

16 (34) (i) In the case of an authority that performs
17 storm water planning, management and implementation, to
18 assess or impose reasonable and uniform rates [may be]
19 based in whole or in part on property characteristics,
20 which may include installation and maintenance of best
21 management practices approved and inspected by the
22 authority.

23 (ii) The reasonable and uniform rates may be
24 assessed or imposed on the Commonwealth or a department,
25 board, commission or instrumentality of the Commonwealth
26 for property owned by the Commonwealth or a department.
27 An authority may consider and provide appropriate
28 exemptions or credits for property with a permit under
29 section 402 of the Federal Water Pollution Control Act
30 (62 Stat. 1155, 33 U.S.C. § 1342), that is used or

1 controlled by a department, board, commission or
2 instrumentality of the Commonwealth.

3 * * *

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