



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2253

PRINTERS NO. 3053

PRIME SPONSOR: Knowles

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
Municipal Funds	\$0	\$0

SUMMARY: Revises the emergency powers provisions of Title 53 of the Pennsylvania Consolidated Statutes (Municipalities Generally) to further authorize the designation of a temporary seat of government, provide for emergency succession of officers during an emergency, and expressly authorize remote public meetings for specified municipalities during emergencies. This legislation would take effect in 60 days.

ANALYSIS: This legislation would amend Title 53 of the Consolidated Statutes as follows:

I. Emergency Seat of Government: Permits a municipality to establish a temporary location for the purpose of holding public meetings during an emergency declared by the governor or by a local authority that renders holding meetings at the ordinary location unsafe, hazardous or impossible. Such a meeting may be held at any other place in the municipality, or in an adjacent or nearby municipality. Prior to any meeting the municipality must post a notice at the entrance of their normal meeting location that indicates where the new meeting location is located.

II. Emergency Remote Meetings: Permit a municipality that is currently subject to a requirement to establish a quorum in person to hold a remote public meeting by authorized telecommunications device during a declared emergency where an in-person meeting will be unsafe, hazardous, or impossible. This meeting will allow the body holding the meeting to establish a quorum and take official action during the remote meeting. The following conditions apply:

- a) The municipality must give 24 hours of advance notice of the meeting by posting a notification on its website or by publishing the notice in the newspaper. Other notice and posting requirements under the Sunshine Act should be followed to the greatest extent practicable.
- b) In addition, the notice on the website or in the newspaper the municipality must post a notice on the entrance of their normal meeting location that contains the details of how an individual can access the electronic meeting.
- c) The meeting must include remote public participation by members of the public to the extent possible.

- d) The body may not conduct remote meetings in response to an emergency for a period longer than 21 days following the emergency declaration unless the governing body adopts a resolution establishing that it is necessary to hold a remote meeting to comply with a disaster emergency declared by the Governor as extended by the General Assembly.

III. Emergency Succession of Officers: An officer in a municipality may establish, by title, an emergency successor to carry out the duties of the office during a declared emergency under the following conditions:

- a) The officer is unavailable during the emergency (due to vacancy, or because the officer is unable to execute the duties of the office), and no deputy is available to fulfill the duties of the office.
- b) The emergency successor may carry out the duties of the office until:
 - i. The officer, or authorized deputy, is no longer unavailable.
 - ii. The vacancy is filled.
 - iii. The emergency declaration expires or is rescinded.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth or municipal funds.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: May 24, 2022

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.