



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1762

PRINTER'S NO. 2146

PRIME SPONSOR: Freeman

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	\$0	\$0

SUMMARY:

House Bill 1762 consolidates the County Code (Act 154 of 2018), the reenactment and amendment of the County Code, Act 130 of 1955, into the Pennsylvania Consolidated Statutes as Part IV (Counties of the Second Class A through Eighth Class) of Title 16.

ANALYSIS:

This bill provides that it is to be construed as substantively identical to the County Code. Eight substantive changes are included in this bill:

1. Authorize the commissioners, with the approval of the appropriate officer and, in the case of the "judicial offices," the president judge, to provide off-site space for the conduct of business.
2. Clarify that nothing in the County Code precludes the use of electronic bidding in accordance with Title 62.
3. Remove unnecessary statutory restrictions on appropriations for paid and volunteer fire companies in counties of the 7th and 8th classes.
4. Incorporation of Act 7 of 2021, providing for the filling of a vacancy in the office of District Attorney with the first Deputy District Attorney, as conditioned.
5. Amend the county classification provisions consistent with Act 74 of 2021 to provide for a freeze in county classification following the release of the 2020 decennial Census unless a County chooses to change its classification.
6. Amend the surcharge provisions in a manner consistent with pending Local Government Commission legislation affecting the other municipal codes to provide a safe-harbor against surcharge for elected officials who act in good faith reliance on the advice of a solicitor.
7. Incorporation of Act 88 of 2021, requiring the District Attorney to continually hold an active law license, and providing for procedure in the event of disbarment or suspension of license.
8. Removes the surcharge provisions (see 6, above), as it relates to Controllers, in Chapter 149, Fiscal Affairs, Subchapter B, Accounts Audits and Reports by Controller or Auditors, and makes numerous technical changes to language to more closely conform to the language within the freestanding County Code.

This legislation would take effect in 60 days.

FISCAL IMPACT:

This bill would have no fiscal impact on Commonwealth funds. Counties could potentially see cost savings by allowing office functions outside of the county seat.

PREPARED BY: Chris Fetterman, Special Advisor for Economic Development
House Appropriations Committee (D)

DATE: March 25, 2024

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