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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 645**      Session of  
1993

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INTRODUCED BY PESCI, TIGUE, NAILOR, HENNESSEY, CAWLEY, GERLACH,  
ARMSTRONG, FAJT AND VEON, MARCH 22, 1993

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 22, 1993

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AN ACT

1 Amending the act of February 1, 1966 (1965 P.L.1656, No.581),  
2 entitled "An act concerning boroughs, and revising, amending  
3 and consolidating the law relating to boroughs," authorizing  
4 boroughs to lease real property to nonprofit drug and alcohol  
5 treatment centers.

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

8 Section 1. Section 1202 of the act of February 1, 1966 (1965  
9 P.L.1656, No.581), known as The Borough Code, is amended by  
10 adding a clause to read:

11 Section 1202. Specific Powers.--The powers of the borough  
12 shall be vested in the corporate authorities. Among the specific  
13 powers of the borough shall be the following, and in the  
14 exercise of any of such powers involving the enactment of any  
15 ordinance or the making of any regulation, restriction or  
16 prohibition, the borough may provide for the enforcement thereof  
17 and may prescribe penalties for the violation thereof or for the  
18 failure to conform thereto:

19 \* \* \*

1       (81) Lease of real property to non-profit corporations for  
2 drug and alcohol prevention and treatment activities. To lease  
3 borough-owned real property to a non-profit corporation without  
4 a requirement for competitive bidding or fair market rental  
5 payments, for the purpose of administering or delivering drug  
6 and alcohol prevention and treatment programs, projects or  
7 services. Notwithstanding any other provision of law, no borough  
8 or official thereof shall become subject to contractual, tort or  
9 other liability as a result of having made or authorized a lease  
10 pursuant to this clause.

11       Section 2. This act shall take effect immediately.