

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2672 Session of  
1982

INTRODUCED BY GAMBLE, SEPTEMBER 21, 1982

REFERRED TO COMMITTEE ON URBAN AFFAIRS, SEPTEMBER 21, 1982

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,  
2 as amended, "An act relating to counties of the second class  
3 and second class A; amending, revising, consolidating and  
4 changing the laws relating thereto," providing for the  
5 manufacture and sale of electricity by counties of the second  
6 class.

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

9 Section 1. The act of July 28, 1953 (P.L.723, No.230), known  
10 as the "Second Class County Code," is amended by adding an  
11 article to read:

12 ARTICLE XXI-A

13 Production of Electricity

14 Section 2101-A. Manufacture and Sale of Electricity.--Any  
15 county of the second class may manufacture electricity by means  
16 of a hydroelectric generating facility owned or operated by the  
17 county. Any county of the second class owning or operating a  
18 hydroelectric generating facility may make contracts for the  
19 sale of electricity to persons engaged in the business of the

1 manufacture or sale of electricity.

2 Section 2102-A. Use and Rate Regulation.--Any county of the  
3 second class furnishing electricity pursuant to this article may  
4 regulate the use and sale of said electricity in dwellings,  
5 business places and other places in such county, and the rate to  
6 be charged for the same.

7 Section 2103-A. Sale of Power Developed from Hydroelectric  
8 Facilities.--By ordinance, a county of the second class may  
9 sell, or lease all or part of its hydroelectric generating  
10 facilities to a purchaser for such sale price as the parties may  
11 agree upon.

12 Section 2104-A. Construction or Purchase of Hydroelectric  
13 Generation Facilities.--Any county of the second class may  
14 construct or purchase facilities or real estate for the purpose  
15 of manufacturing electricity by hydroelectric generation. Any  
16 county of the second class may purchase a hydroelectric  
17 generating facility at such price as may be agreed upon by the  
18 county and the person, copartnership or a majority of the  
19 stockholders of a corporation that owns such facilities.

20 Section 2105-A. Debt Limitations.--Any county of the second  
21 class which constructs or purchases a hydroelectric facility may  
22 incur debt as necessary for the construction, or rehabilitation  
23 of a new or existing dam or impoundment, including acquisition  
24 of land or real estate, and aerial right-of-way amenities, and  
25 may incur debt for repairs or reconstruction to an existing or  
26 new impoundment in connection with hydroelectric power  
27 generation.

28 Section 2106-A. Authority Compliance.--A county of the  
29 second class desiring to construct, or purchase, or operate, or  
30 sell a hydroelectric facility, as a municipal body, may

1 authorize an existing authority, or establish a new authority to  
2 operate, generate, or sell the power from the authority's  
3 hydroelectric facilities under the laws of the Commonwealth  
4 authorizing the creation and jurisdiction of municipal  
5 authorities.

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