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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 728**      Session of  
1999

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INTRODUCED BY ARGALL, FREEMAN, McILHINNEY, L. I. COHEN, FARGO,  
PHILLIPS, E. Z. TAYLOR, TANGRETTI, MANDERINO, WILLIAMS,  
BATTISTO, BELFANTI, BROWNE, FAIRCHILD, GEORGE, GORDNER,  
HALUSKA, HARHAI, HENNESSEY, LEVDANSKY, MANN, MAYERNIK,  
McCALL, PLATTS, RAMOS, READSHAW, ROSS, SAINATO, SATHER,  
SCHRODER, STEELMAN, STERN, STURLA, TRELLO, VAN HORNE,  
YOUNGBLOOD, ZUG, WOJNAROSKI, PIPPY, LEH, BELARDI, HUTCHINSON,  
GRUCELA, DAILEY AND HERMAN, MARCH 8, 1999

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SENATOR EARLL, URBAN AFFAIRS AND HOUSING, IN SENATE, AS AMENDED,  
MARCH 14, 2000

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AN ACT

1 Encouraging State agencies to locate facilities in a downtown  
2 area; and providing for report to General Assembly.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Downtown  
7 Location Law.

8 Section 2. Legislative findings.

9 The General Assembly finds that:

10 (1) This Commonwealth has lost over 4,000,000 acres of  
11 farmland to development in the last 40 years.

12 (2) The phenomenon of urban flight and sprawl has led to  
13 a decline of traditional central and neighborhood business  
14 districts throughout this Commonwealth.

1 (3) The decline of these districts has a clear linkage  
2 to many problems facing our communities: crime, unemployment,  
3 shrinking tax bases and decaying infrastructure.

4 (4) IT IS IMPORTANT THAT PRIORITY BE GIVEN TO USING <—  
5 URBAN AREAS IN GENERAL.

6 ~~(4)~~ (5) It is in the best interest of this Commonwealth <—  
7 to facilitate the revitalization of traditional central and  
8 neighborhood business districts within our communities.

9 ~~(5)~~ (6) Federal agencies already have established a <—  
10 policy to use downtown locations.

11 Section 3. Definitions.

12 The following words and phrases when used in this act shall  
13 have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Department." The Department of General Services of the  
16 Commonwealth.

17 ~~"Downtown area." The central business district of a city,~~ <—  
18 "DOWNTOWN AREA." EITHER OF THE FOLLOWING: <—

19 (1) THE CENTRAL BUSINESS DISTRICT OF A CITY, OTHER THAN  
20 A CITY OF THE FIRST CLASS, borough, incorporated town or  
21 township, or any commercial area, within a neighborhood of a  
22 city, borough, incorporated town or township, in every case  
23 that ~~has served~~ SERVES as a commercial center within that <—  
24 community of this Commonwealth.

25 (2) IN CITIES OF THE FIRST CLASS, THE ENTIRE GEOGRAPHIC <—  
26 AREA OF THE CITY.

27 ~~"Satellite office facility." A subordinate location of a <—  
28 State agency office that operates fewer hours each day or fewer  
29 hours each week than the main State agency office, offers  
30 different services than the main office or otherwise differs in~~

1 ~~its operations from the main State agency office and is~~  
2 ~~maintained for the convenience of patrons or otherwise to~~  
3 ~~improve the delivery of services by a State agency.~~

4 "Secretary." The Secretary of General Services of the  
5 Commonwealth.

6 "State agency." An executive agency or independent agency as  
7 those terms are defined in 62 Pa.C.S. § 103 (relating to  
8 definitions). ~~The term includes the Team Pennsylvania Human~~ <—  
9 ~~Resources Investment Council and any local work force investment~~  
10 ~~board which works with the council.~~

11 Section 4. Powers and duties.

12 (a) Guidelines.--The department shall establish guidelines  
13 to encourage State agencies to locate all new office facilities  
14 ~~and new satellite office facilities~~ in downtown areas. The <—  
15 guidelines shall include consideration of the following factors:

- 16 (1) The requirements of the agency.
- 17 (2) Servicing clientele needs.
- 18 (3) Local economic considerations.
- 19 (4) The availability of suitable space in a downtown  
20 area.
- 21 (5) Competitiveness in the marketplace.
- 22 (6) Cost to the Commonwealth.
- 23 (7) SAFETY TO PERSONS USING THE OFFICE FACILITY. <—
- 24 ~~(7)~~ (8) The availability of public transportation. <—

25 (b) Leases.--Prior to a State agency entering into a lease  
26 of real estate for office purposes, the State agency shall, in  
27 accordance with the department guidelines, consider locating the  
28 office facilities in a downtown area.

29 (c) Construction.--Whenever a State agency is planning to  
30 construct a building to be used for office purposes, the State

1 agency shall, in accordance with the department's guidelines:

2 (1) Consider the rehabilitation, reuse, or both, of  
3 existing structures within a downtown area. Consideration may  
4 include reasonable efforts to:

5 (i) Rehabilitate or rebuild the structure's facade,  
6 if appropriate, in a way which maintains the  
7 architectural integrity of the building and streetscape  
8 according to the United States Secretary of the  
9 Interior's standards for rehabilitation in Federal  
10 regulations.

11 (ii) Ensure that the structure meets the  
12 requirements of the Americans with Disabilities Act of  
13 1990 (Public Law 101-336, 104 Stat. 327) in a manner  
14 which respects the architectural integrity of the  
15 building.

16 (2) Consider new construction on available land within a  
17 downtown area. Consideration may include reasonable efforts  
18 to:

19 (i) Have the scale and facade of the new structure  
20 maintain the architectural integrity of the existing  
21 streetscape.

22 (ii) Ensure that the structure meets the  
23 requirements of the Americans with Disabilities Act of  
24 1990 in a manner which respects the architectural  
25 integrity of the neighboring building.

26 Section 5. Report to General Assembly.

27 (a) Report.--Four years after the effective date of this  
28 act, and every year thereafter, the department shall submit a  
29 report to the Urban Affairs and Housing Committee of the Senate  
30 and the Urban Affairs Committee of the House of Representatives

1 concerning the implementation and effectiveness of this act.

2 (b) Baseline.--Within 90 days after the effective date of  
3 this act, the department shall prepare a list of all office  
4 facilities currently owned or leased by State agencies. The list  
5 shall identify those office facilities located in a downtown  
6 area.

7 (c) Contents.--This report shall include, but not be limited  
8 to, the following:

9 (1) The total number of office facilities currently  
10 owned or leased by State agencies. The list shall identify  
11 those office facilities located in a downtown area as defined  
12 by this act. This list shall be compared with the total  
13 number of office facilities owned or leased by State agencies  
14 on the effective date of this act.

15 (2) The total number of leased and State-constructed  
16 office facilities reviewed by the department during the prior  
17 year and of that total:

18 (i) The number of leased and State-constructed  
19 facilities which were located in downtown areas as  
20 defined by this act.

21 (ii) The number of leases and State-constructed  
22 office facilities that included the restoration and reuse  
23 of an existing structure.

24 (iii) The number of leases and State-constructed  
25 office facilities that were not located in downtown areas  
26 and the reasons for not locating in a downtown area.

27 Section 6. Effective date.

28 This act shall take effect in 60 days.