

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 795 Session of
2017

INTRODUCED BY DAVIS, READSHAW, O'NEILL, V. BROWN, CRUZ, NEILSON,
M. QUINN AND KRUEGER-BRANEKY, MARCH 10, 2017

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 10, 2017

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in general provisions relating to
3 governing body, providing for municipal standards for
4 recovery residences; and making an editorial change.

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

7 Section 1. Subchapter A of Chapter 13 of Title 53 of the
8 Pennsylvania Consolidated Statutes is amended to read:

9 Subchapter A

10 [(Reserved)] Powers and Duties

11 Sec.

12 1301. Municipal standards for recovery residences.

13 § 1301. Municipal standards for recovery residences.

14 (a) General rule.--The governing body of a municipality may
15 adopt an ordinance that establishes standards for recovery
16 residences that comply with Federal and State fair housing laws
17 and the Americans with Disabilities Act of 1990 (Public Law 101-
18 336, 104 Stat. 327). Such an ordinance may include provisions
19 relating to:

1 (1) Written notification that specifies for a recovery
2 residence:

3 (i) The name and address of the structure of the
4 recovery residence.

5 (ii) The property owners' names, address and contact
6 telephone number.

7 (iii) If the property is leased, a copy of the lease
8 stating that the property will be used as a recovery
9 residence.

10 (2) Supervision of the residents and staff employed by
11 or volunteering for the recovery residence.

12 (3) Establishment and maintenance of an operation plan
13 that facilitates the rehabilitation process and addresses the
14 maintenance of the property and noise abatement consistent
15 with other applicable ordinances.

16 (b) Definition.--For purposes of this section, "recovery
17 residence" means a residential dwelling unit or other form of
18 group housing that is offered or advertised through any means,
19 including oral, written, electronic or printed means, by any
20 person or entity as a residence that provides a peer-supported,
21 alcohol-free and drug-free living environment. The term includes
22 a residence described as a sober house or a house where there
23 are residents in recovery from alcohol or other drug addiction.

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