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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1047 Session of  
2018

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INTRODUCED BY COSTA, FONTANA AND VULAKOVICH, FEBRUARY 14, 2018

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REFERRED TO COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT,  
FEBRUARY 14, 2018

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AN ACT

1 Amending the act of February 12, 2004 (P.L.73, No.11), entitled  
2 "An act providing for intergovernmental cooperation in cities  
3 of the second class; establishing an intergovernmental  
4 authority; providing for financing, for bankruptcy and for  
5 sovereign immunity; and making an appropriation," in  
6 Intergovernmental Cooperation Authority for Cities of the  
7 Second Class, further providing for term of existence.

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

10 Section 1. Section 204 of the act of February 12, 2004  
11 (P.L.73, No.11), known as the Intergovernmental Cooperation  
12 Authority Act for Cities of the Second Class, is amended to  
13 read:

14 Section 204. Term of existence.

15 (a) Length.--The authority shall exist for a term of at  
16 least seven years. If, after seven years, an assisted city has  
17 had annual operating budgets and five-year financial plans  
18 approved by the board for at least the three immediately  
19 preceding years, the Secretary of Community and Economic  
20 Development shall immediately certify that the authority is no

1 longer needed, and the provisions of this chapter shall no  
2 longer apply to the assisted city [90 days] immediately  
3 following that certification. Upon termination of the authority,  
4 records and documents of the authority shall be transferred to  
5 the director of finance of the assisted city. The authority  
6 shall submit a final report on its activities and the city's  
7 fiscal condition to the Governor and the General Assembly within  
8 60 days of its termination.

9 (b) Limitation.--The Secretary of Community and Economic  
10 Development may not certify that the authority is no longer  
11 necessary under subsection (a) until oversight is terminated  
12 under the act of July 10, 1987 (P.L.246, No.47), known as the  
13 Municipalities Financial Recovery Act[, or June 30, 2019,  
14 whichever is later].

15 (b.1) Certification.--Notwithstanding any other provision of  
16 this act, upon termination of oversight by the Secretary of  
17 Community and Economic Development under the Municipalities  
18 Financial Recovery Act, the Secretary of Community and Economic  
19 Development shall immediately certify that the authority is no  
20 longer needed. Upon certification by the Secretary of Community  
21 and Economic Development under this subsection, the powers and  
22 duties of the authority shall immediately expire and be null and  
23 void.

24 (c) Redistribution.--

25 (1) If the authority is terminated under subsection (a)  
26 or (b) and gaming revenue was distributed to and under the  
27 exclusive control of the authority under 4 Pa.C.S. § 1403(c)  
28 (3)(xv) (relating to establishment of State Gaming Fund and  
29 net slot machine revenue distribution), the gaming revenue  
30 shall be redistributed to an assisted city to increase the

1 level of funding to the municipal pension funds of an  
2 assisted city.

3 (2) The gaming revenue shall be in addition to and shall  
4 not replace the minimum obligation that the assisted city is  
5 required to contribute to its pension funds under the act of  
6 December 18, 1984 (P.L.1005, No.205), known as the Municipal  
7 Pension Plan Funding Standard and Recovery Act.

8 (3) The provisions of this subsection shall continue  
9 notwithstanding the termination of the authority under this  
10 section.

11 Section 2. This act shall take effect immediately.