

AMENDMENTS TO HOUSE BILL NO. 1791

Sponsor: REPRESENTATIVE MERSKI

Printer's No. 2033

1 Amend Bill, page 1, line 3, by inserting after "definitions"
2 , establishing a grant program for municipalities to establish
3 code enforcement programs and hire code enforcement
4 personnel, providing for powers and duties of the Department
5 of Community and Economic Development, establishing the
6 Municipal Property Maintenance Code Assistance Fund

7 Amend Bill, page 2, by inserting between lines 5 and 6

8 Section 2. Chapter 61 of Title 53 is amended by adding a
9 subchapter to read:

10 SUBCHAPTER B.1

11 MUNICIPAL PROPERTY MAINTENANCE CODE ASSISTANCE

12 Sec.

13 6121. Scope of subchapter.

14 6122. Legislative intent.

15 6123. Definitions.

16 6124. Code enforcement grant program.

17 6125. Fund.

18 6126. Surcharge.

19 6127. Report to General Assembly.

20 6128. Guidelines.

21 § 6121. Scope of subchapter.

22 This subchapter relates to municipal property maintenance
23 code assistance.

24 § 6122. Legislative intent.

25 The purpose of this subchapter is to provide funding for
26 individual municipalities, two or more municipalities under
27 Subchapter A of Chapter 23 (relating to intergovernmental
28 cooperation), councils of governments or a multimunicipal code
29 enforcement entity, for the purpose of municipal property
30 maintenance code enforcement within that county or region in
31 order to prevent and eradicate blighted property conditions.

32 § 6123. Definitions.

33 The following words and phrases when used in this subchapter
34 shall have the meanings given to them in this section unless the
35 context clearly indicates otherwise:

36 "Department." The Department of Community and Economic
37 Development of the Commonwealth.

1 "Fund." The Municipal Property Maintenance Code Assistance
2 Fund established in this subchapter.

3 § 6124. Code enforcement grant program.

4 (a) Establishment.--The department shall issue grants to
5 municipalities for the purpose of reducing blighted property
6 conditions through any of the following:

7 (1) The establishment of special code enforcement
8 programs to address blighted property conditions, where a
9 municipal code enforcement program already exists.

10 (2) The establishment of code enforcement programs and
11 the hiring and training of code enforcement personnel in
12 those municipalities without an existing code enforcement
13 program.

14 (b) Competitive awards.--The department shall issue grants
15 under this section to municipalities on a competitive basis.

16 (c) Eligibility.--In order to receive a grant under this
17 section, a municipality must submit an application acceptable to
18 the department. The department shall establish the application
19 process, including the form and manner in which the application
20 must be submitted to the department. A municipality shall
21 include all of the following information in an application
22 submitted under this subsection:

23 (1) The age of the existing housing stock in the
24 municipality.

25 (2) The municipality's current tax base and mileage
26 rate.

27 (3) The overall financial condition of the municipality.

28 (d) Authorized uses.--A municipality may only use a grant
29 issued under this section for any of the following purposes:

30 (1) Protecting the health, safety and welfare of the
31 general public.

32 (2) Protecting the health, safety and welfare of
33 individuals using public buildings, including public
34 facilities.

35 (3) Encouraging homeowners, landlords and tenants to
36 maintain the appearance and value of their dwellings.

37 (4) Reducing crime in neighborhoods.

38 (e) Matching funds.--A municipality shall provide its own
39 funds or in-kind contributions, approved by the department as
40 determined by guidelines established by the department under
41 section 6127 (relating to guidelines), equal to the amount of
42 the grant provided, and shall dedicate and expend those funds
43 for the purpose for which the grant was awarded.

44 (f) Limitations.--

45 (1) Grants issued under this section shall not be
46 provided to the same recipient for more than three
47 consecutive years.

48 (2) A grant issued under this section may not exceed
49 \$100,000.

50 (3) No grant issued under this section may be used to
51 pay code enforcement personnel unless the individual has

1 acquired relevant certification or training in property
2 maintenance.

3 (4) Grants issued under this section may not exceed the
4 amount of money in the fund.

5 § 6125. Fund.

6 (a) Establishment.--The Municipal Property Maintenance Code
7 Assistance Fund is established within the State Treasury.

8 (b) Transfers.--For the fiscal year beginning July 1, 2022,
9 the State Treasurer shall transfer \$10,000,000 from the General
10 Fund to the fund from the amount of money generated from the
11 realty transfer tax imposed under section 1102-C of the act of
12 March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of
13 1971.

14 (c) Use of funds.--The fund shall be used by the department
15 exclusively for the purpose of issuing the grants provided for
16 under section 6124 (relating to code enforcement grant program).
17 The department shall be reimbursed from the fund for the
18 department's administrative costs associated with issuing the
19 grants under section 6124.

20 § 6126. Surcharge.

21 (a) Imposition.--Subject to the provisions of subsection

22 (b):

23 (1) Upon each subsequent inspection by a local code
24 official, a surcharge of \$250 may be imposed on a real
25 property owner in violation of one or more provisions of a
26 municipal code for which the owner was previously cited for
27 violating.

28 (2) The surcharge imposed under paragraph (1) may be in
29 addition to any other applicable fee or charge imposed and
30 collected by the municipality as provided by law.

31 (b) Time to remedy.--

32 (1) With the exception of a serious violation, a
33 property owner shall have a minimum of 90 days following the
34 initial inspection by a local code official to remedy a
35 violation of a municipal code, for which the owner was
36 previously cited for violating, before the surcharge may be
37 imposed.

38 (2) For a serious violation, a property owner shall have
39 a minimum of 120 days following the initial inspection by a
40 local code official to remedy the serious violation, for
41 which the owner had been previously cited for violating,
42 before the surcharge may be imposed.

43 (c) Collection.--

44 (1) The municipality shall collect the surcharge under
45 subsection (a) and remit the money to the department on a
46 quarterly basis for deposit into the fund.

47 (2) The department shall use the money collected under
48 paragraph (1) for grants under section 6124 (relating to code
49 enforcement grant program).

50 § 6127. Report to General Assembly.

51 The department shall submit an annual report to the Urban

1 Affairs and Housing Committee of the Senate and the Urban
2 Affairs Committee of the House of Representatives concerning the
3 implementation of this subchapter. The report shall include the
4 total amount of money collected and deposited into the fund as
5 well as the number of grants awarded and the recipients of those
6 grants.

7 § 6128. Guidelines.

8 Within 180 days of the effective date of this section, the
9 department shall establish guidelines to carry out the
10 provisions of this subchapter.

11 Amend Bill, page 2, line 6, by striking out "2" and inserting

12 3

13 Amend Bill, page 7, line 6, by striking out all of said line

14 and inserting

15 Section 4. This act shall take effect as follows:

16 (1) This section shall take effect immediately.

17 (2) The addition of 53 Pa.C.S. Ch. 61 Subch. B.1 shall
18 take effect in 90 days.

19 (3) The remainder of this act shall take effect in 60
20 days.