

## 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

Affairs and Housing Committee of the Senate and the Urban  
Affairs Committee of the House of Representatives concerning the  
implementation of this subchapter. The report shall include the  
total amount of money collected and deposited into the fund as  
well as the number of grants awarded and the recipients of those  
grants.  
§ 6128. Guidelines.

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

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

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

Section 4. This act shall take effect as follows:

(1) This section shall take effect immediately.

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

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