

## AMENDMENTS TO HOUSE BILL NO. 1062

Sponsor: REPRESENTATIVE STURLA

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1 Amend Bill, page 1, line 4, by striking out the period after  
2 "system" and inserting  
3 ; establishing the Property Maintenance Code Serious Violations  
4 Registry and the Property Maintenance Code Serious Violations  
5 Registry Account; and making a transfer from the General  
6 Fund.

7 Amend Bill, page 1, line 13, by inserting after "Code"  
8 Serious

9 Amend Bill, page 1, line 14, by inserting after "code"  
10 serious

11 Amend Bill, page 1, line 16, by striking out "Expungement."  
12 and inserting  
13 Changing status of property on registry.

14 Amend Bill, page 2, line 1, by striking out "surcharge" and  
15 inserting  
16 registry penalty

17 Amend Bill, page 2, by inserting between lines 1 and 2  
18 6135.9. Appropriation.

19 Amend Bill, page 2, line 2, by striking out "6135.9" and  
20 inserting  
21 6135.10

22 Amend Bill, page 2, line 12, by inserting after "Code"  
23 Serious

24 Amend Bill, page 2, line 14, by inserting after "Code"  
25 Serious

1 Amend Bill, page 2, line 15, by inserting after "Code"  
2 Serious

3 Amend Bill, page 2, line 16, by inserting after "Code"  
4 Serious

5 Amend Bill, page 2, line 20, by inserting after "code"  
6 serious

7 Amend Bill, page 2, line 21, by inserting after "code"  
8 serious

9 Amend Bill, page 2, line 23, by inserting after "code"  
10 serious

11 Amend Bill, page 2, line 24, by striking out "Duty to file  
12 report" and inserting  
13 Filing

14 Amend Bill, page 2, line 24, by striking out "shall" and  
15 inserting  
16 may

17 Amend Bill, page 2, line 28, by striking out "180 days." and  
18 inserting  
19 one year unless the municipality can demonstrate that it  
20 has, for at least one year, cited serious violations on a  
21 property prior to establishment of the registry.

22 Amend Bill, page 2, line 29, by inserting after "code"  
23 serious

24 Amend Bill, page 3, line 2, by inserting after "code"  
25 serious

26 Amend Bill, page 3, line 5, by inserting after "violation."  
27 If the property owner is a limited liability company or  
28 other business entity that does not list the principals of  
29 the limited liability company or other business entity, the  
30 department or the department's third-party entity shall  
31 attempt to find those principals or their agents and add  
32 their names to the registry, in addition to the name of the  
33 limited liability company or other business entity.

34 Amend Bill, page 3, lines 6 through 10, by striking out "If

1 the real property is owned by a corporation," in line 6 and all  
2 of lines 7 through 10 and inserting  
3 A copy of the citation issued to the real property  
4 owner.  
5 Amend Bill, page 3, line 11, by inserting after "address"  
6 , tax parcel number  
7 Amend Bill, page 3, lines 13 through 19, by striking out all  
8 of lines 13 through 18 and "(6)" in line 19 and inserting  
9 (4)  
10 Amend Bill, page 3, line 20, by inserting after "property"  
11 by the filing municipality  
12 Amend Bill, page 3, lines 21 through 30, by striking out all  
13 of said lines and inserting  
14 (d) Access.--The department shall make the registry  
15 accessible electronically to all municipalities and the public.  
16 (e) Database.--The database shall be searchable by property  
17 owner and by property address.  
18 Amend Bill, page 4, line 3, by inserting after "code"  
19 serious  
20 Amend Bill, page 4, line 8, by inserting after "code"  
21 serious  
22 Amend Bill, page 4, line 9, by inserting after "code"  
23 serious  
24 Amend Bill, page 4, line 10, by inserting after "or"  
25 by  
26 Amend Bill, page 4, line 13, by inserting after "code"  
27 serious  
28 Amend Bill, page 4, line 15, by inserting after "code"  
29 serious  
30 Amend Bill, page 4, line 21, by inserting after  
31 "Commonwealth"  
32 and Attorney General

1 Amend Bill, page 4, line 22, by inserting after "agency"  
2 or the Attorney General

3 Amend Bill, page 4, line 23, by inserting after "code"  
4 serious

5 Amend Bill, page 4, line 24, by inserting after "for"  
6 a permit,

7 Amend Bill, page 4, line 25, by inserting after "code"  
8 serious

9 Amend Bill, page 4, line 26, by inserting after "or"  
10 by

11 Amend Bill, page 4, line 28, by inserting after "code"  
12 serious

13 Amend Bill, page 4, line 30, by striking out "two weeks" and  
14 inserting  
15 30 days

16 Amend Bill, page 5, line 1, by inserting after "code"  
17 serious

18 Amend Bill, page 5, line 3, by inserting after "the" where it  
19 occurs the second time  
20 permit,

21 Amend Bill, page 5, lines 7 through 15, by striking out all  
22 of said lines and inserting

23 (d) Hearing requested by applicant.--  
24 (1) The department shall hold a hearing regarding why  
25 the property owner is listed on the registry, as applicable.  
26 If the applicant can produce a certificate or letter of code  
27 compliance from the municipality, the department shall update  
28 the official record within 48 hours to reflect the new  
29 information.

30 (2) The municipality or Commonwealth agency shall hold a  
31 hearing regarding administrative appeals related to permit  
32 denials.

33 Amend Bill, page 5, line 17, by striking out "agencies and  
34 all municipalities" and inserting

1 agencies, municipalities and other entities

2 Amend Bill, page 5, line 19, by inserting after

3 "disseminated."

4 The Attorney General shall be exempt from this listing in  
5 order to protect the confidentiality of investigations.

6 Amend Bill, page 5, lines 24 through 30; page 6, lines 1  
7 through 5; by striking out all of said lines on said pages and  
8 inserting

9 § 6135.5. Changing status of property on registry.

10 A municipality that files a report with the department shall  
11 subsequently supply the property owner with a certificate of  
12 compliance once the real property is declared to be brought back  
13 into code compliance. The property owner shall forward a copy of  
14 the certificate of compliance to the department if the property  
15 owner wishes to have the property's status changed to "cured" on  
16 the registry. The department shall include the information as  
17 part of the official record for the specific property and owner  
18 of the real property.

19 § 6135.6. Administrative requirements.

20 (a) Procedures.--The department shall issue guidelines to  
21 effectuate the purposes of this subchapter, which shall include  
22 procedures to ensure the completeness and accuracy of  
23 information in the registry. The department may contract with a  
24 third-party entity to assist in carrying out the department's  
25 duties under this subchapter.

26 Amend Bill, page 6, line 7, by inserting after "code"

27 serious

28 Amend Bill, page 6, line 8, by inserting after "code"

29 serious

30 Amend Bill, page 6, line 19, by striking out "shall" and  
31 inserting

32 may

33 Amend Bill, page 6, line 25, by inserting after "code"

34 serious

35 Amend Bill, page 7, line 2, by inserting a period after  
36 "time"

37 Amend Bill, page 7, lines 2 through 7, by striking out

1 "unless the" in line 2 and all of lines 3 through 7

2 Amend Bill, page 7, line 8, by striking out "surcharge" and  
3 inserting  
4 registry penalty

5 Amend Bill, page 7, line 9, by inserting after "in"  
6 serious

7 Amend Bill, page 7, lines 10 through 15, by striking out "90  
8 days without an attempt by the" in line 10 and all of lines 11  
9 through 15 and inserting

10 one year that has been placed on the property registry by a  
11 municipality may be subject to a registry penalty in the amount  
12 of \$1,000 for each serious violation. The following apply to the  
13 penalty:

14 Amend Bill, page 7, line 16, by striking out "surcharge" and  
15 inserting  
16 penalty

17 Amend Bill, page 7, line 16, by inserting after "to"  
18 any

19 Amend Bill, page 7, lines 19 and 20, by striking out  
20 "surcharge and remit all" and inserting

21 penalty and deduct administrative costs before remitting  
22 the remaining

23 Amend Bill, page 7, lines 21 through 25, by striking out all  
24 of said lines and inserting

25 (3) The penalty may take the form of a lien on the real  
26 property, and the municipality may file the lien with the  
27 county prothonotary or equivalent office.

28 (4) Money generated by the penalty shall be deposited  
29 into the special restricted account established under section  
30 6135.9 (relating to appropriation).

31 (5) The department may distribute excess money to  
32 municipalities participating in the registry.

33 § 6135.9. Appropriation.

34 (a) Establishment of account.--Subject to a future  
35 appropriation by the General Assembly, a one-time amount of  
36 \$1,000,000 is transferred from the General Fund into a special  
37 restricted account within the State Treasury for the purposes of

1 creating and maintaining the registry, to be known as the  
2 Property Maintenance Code Serious Violations Registry Account.

3 (b) Distribution.--The department may distribute money in  
4 excess of the \$1,000,000 amount described in subsection (a) to  
5 municipalities participating in the registry.

6 (c) Purposes.--Money in the Property Maintenance Code  
7 Serious Violations Registry Account may be used for the  
8 following purposes:

9 (1) By the department to reimburse the department for  
10 its administrative costs in carrying out its responsibilities  
11 under this subchapter.

12 (2) By the unified judicial system to conduct training  
13 of the judiciary in accordance with 42 Pa.C.S. § 1907  
14 (relating to deteriorated real property education and  
15 training programs for judges).

16 (3) By the Department of the Auditor General to  
17 reimburse that department for the costs of conducting the  
18 audits authorized by section 6135.7 (relating to audit).

19 Amend Bill, page 7, line 26, by striking out "6135.9" and

20 inserting

21 6135.10

22 Amend Bill, page 8, lines 4 and 5, by striking out "18

23 Pa.C.S." in line 4 and all of line 5 and inserting

24 53 Pa.C.S. § 6115 (relating to failure to comply with a  
25 code requirement).