

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

Amend Bill, page 4, line 22, by inserting after "agency"

or the Attorney General

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

serious

Amend Bill, page 4, line 24, by inserting after "for"

a permit,

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

serious

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

by

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

serious

Amend Bill, page 4, line 30, by striking out "two weeks" and
inserting

30 days

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

serious

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

permit,

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

(d) Hearing requested by applicant.--

(1) The department shall hold a hearing regarding why
the property owner is listed on the registry, as applicable.
If the applicant can produce a certificate or letter of code
compliance from the municipality, the department shall update
the official record within 48 hours to reflect the new
information.

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

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

agencies, municipalities and other entities

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

"disseminated."

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

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

§ 6135.5. Changing status of property on registry.

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

§ 6135.6. Administrative requirements.

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

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

serious

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

serious

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

may

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

serious

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

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).