

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1401 Session of
2000

INTRODUCED BY HELFRICK, THOMPSON, MOWERY, RHOADES, SLOCUM,
COSTA, SALVATORE, ROBBINS, KUKOVICH, ARMSTRONG, WAUGH AND
BRIGHTBILL, MARCH 28, 2000

AS AMENDED ON THIRD CONSIDERATION, NOVEMBER 20, 2000

AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated
2 Statutes, imposing additional requirements on the Board of
3 Commissioners of Public Grounds and Buildings relating to the
4 approval of leases of real estate.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 326 of Title 62 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 326. Board of Commissioners of Public Grounds and Buildings.

10 (a) General rule.--No lease of real estate for use by an
11 executive or independent agency and no sole source procurement
12 of supplies for an executive or independent agency for which the
13 department acts as the purchasing agency shall be valid or
14 effective unless, upon review, it is approved by the Board of
15 Commissioners of Public Grounds and Buildings. Where the board
16 is reviewing a proposed sole source lease or procurement being
17 submitted pursuant to section 515 (relating to sole source
18 procurement), approval of the lease or procurement shall require

1 the unanimous vote of the board. Where the board is reviewing a
2 proposed non-sole source lease, the lease shall be approved when
3 one member of the board votes to approve the lease. All votes
4 shall take place at a public meeting.

5 (b) State and local taxation provisions required for
6 approval of real estate leases.--From and after the effective
7 date of this subsection, the Board of Commissioners of Public
8 Grounds and Buildings shall only approve leases for real estate
9 or renewals of leases for real estate which contain provisions
10 requiring the lessor to provide annual statements to the
11 department which prove that the lessor has paid all county,
12 municipal and school district taxes levied on the leased
13 property and that there are no outstanding delinquent real
14 property taxes ON THE LEASED PROPERTY owed to any taxing <—
15 authority.

16 Section 2. This act shall apply to all leases of real estate
17 entered into on or after ~~the effective date of this act~~ JULY 1, <—
18 2001.

19 Section 3. This act shall take effect in 60 days.