

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1936 Session of  
2001

INTRODUCED BY HABAY, KENNEY, PETRONE, ARGALL, PHILLIPS, BROWNE,  
L. I. COHEN, HENNESSEY, HESS, LEDERER, DIVEN, MANN,  
M. WRIGHT, J. WILLIAMS, BASTIAN, BUNT, CIVERA, DALLY,  
FICHTER, GODSHALL, HARHART, McILHINNEY, RUBLEY, TRELLO,  
FREEMAN, WATSON, M. COHEN, MICOZZIE, McILHATTAN, FEESE,  
WALKO, JAMES, BEBKO-JONES, CAPPELLI, DAILEY AND MICHLOVIC,  
SEPTEMBER 26, 2001

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
OCTOBER 30, 2001

## AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employees in certain departments, boards,  
17 and commissions; and prescribing the manner in which the  
18 number and compensation of the deputies and all other  
19 assistants and employees of certain departments, boards and  
20 commissions shall be determined," providing for the denial of  
21 State permits, certifications, licenses or other approvals if  
22 the applicant is delinquent on taxes or is in violation of  
23 certain codes; AND FURTHER PROVIDING FOR FURNISHING LISTS OF  
24 EMPLOYEES TO CERTAIN STATE OFFICERS. <—

25 The General Assembly of the Commonwealth of Pennsylvania  
26 hereby enacts as follows:

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding a section to read:

Section 502.1. State Permit or License Denial.--(a) All departments, boards and commissions shall MAY deny issuing to any applicant, any State permit, certification, license or State approval for contemplated action requiring such approval, if the applicant OWNS ANY REAL PROPERTY IN THIS COMMONWEALTH:

(1) owns any real property in any municipality for which taxes, or sewer or refuse collection charges are delinquent on the real property;

(2) owns any property in this Commonwealth that has been determined to be in serious violation of applicable State or municipal housing, building, property maintenance or fire safety code requirements, and has not taken substantial steps to bring the property into code compliance; ~~or~~ AND

(3) THAT is in violation of any applicable State or municipal housing, building, property maintenance or fire safety code requirements for which the property owner has taken no substantial steps to correct within six months following notification of the violation.

(b) All State permits, certifications, licenses or approvals may be withheld until such time as the applicant obtains a letter from the appropriate State agency, municipality and/or school district, indicating the property in question:

(i) is not presently ~~tax delinquent~~ DELINQUENT IN TAXES OR SEWER OR REFUSE COLLECTION CHARGES;

(ii) is now in code compliance; ~~or~~ AND

(iii) ~~that~~ HAS HAD substantial steps ~~have been~~ taken to bring the property into code compliance.

1 Letters required by this subsection shall be verified by the  
2 appropriate State officials before issuing to the applicant any  
3 State permits, certifications, licenses or approvals.

4 (c) Information contained in the property maintenance code  
5 violation report shall be subject to the provisions of the act  
6 of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-  
7 Know Law.

8 (d) For purposes of this section:

9 "Serious violations" shall mean housing, building, property  
10 maintenance or fire safety code violations that pose an  
11 immediate threat to the health and safety of dwelling occupants  
12 or occupants in surrounding structures and passers by.

13 "Substantial steps" shall mean an affirmative action on the  
14 part of the property owner or managing agent, as determined by <—  
15 the municipality, to remedy code violations involving physical <—  
16 improvements or preparations to the property.

17 SECTION 2. SECTION 614(A) AND (C) OF THE ACT, AMENDED <—  
18 NOVEMBER 26, 1997 (P.L.530, NO.57), ARE AMENDED TO READ:

19 SECTION 614. LIST OF EMPLOYES TO BE FURNISHED TO CERTAIN  
20 STATE OFFICERS.--(A) ALL ADMINISTRATIVE DEPARTMENTS, BOARDS,  
21 AND COMMISSIONS AND THE ATTORNEY GENERAL SHALL ON JULY 15 OF  
22 EACH YEAR, TRANSMIT TO THE AUDITOR GENERAL, THE STATE TREASURER  
23 AND SECRETARY OF THE BUDGET A COMPLETE LIST, AND TO THE  
24 LEGISLATIVE DATA PROCESSING CENTER A COMPUTER TAPE OF SUCH LIST,  
25 AS OF JULY 1 PRECEDING, OF THE NAMES OF ALL PERSONS, EXCEPT DAY-  
26 LABORERS, ENTITLED TO RECEIVE COMPENSATION FROM THE COMMONWEALTH  
27 FOR SERVICES RENDERED IN OR TO THE DEPARTMENT, BOARD, OR  
28 COMMISSION, AS THE CASE MAY BE. SUCH LIST SHALL SHOW THE  
29 POSITION OCCUPIED BY EACH SUCH PERSON, THE DATE OF BIRTH AND  
30 VOTING RESIDENCE OF SUCH PERSON, THE SALARY AT WHICH OR OTHER

1 BASIS UPON WHICH SUCH PERSON IS ENTITLED TO BE PAID, THE DATE  
2 WHEN SUCH PERSON ENTERED THE SERVICE OF THE COMMONWEALTH,  
3 WHETHER SUCH PERSON HAS BEEN CONTINUOUSLY EMPLOYED BY THE  
4 COMMONWEALTH SINCE THAT DATE, AND ALL PERIODS OF SERVICE AND  
5 POSITIONS HELD AS AN EMPLOYE OF THE COMMONWEALTH, OR SUCH PART  
6 OF SUCH INFORMATION AS THE GOVERNOR MAY PRESCRIBE.

7 NOTWITHSTANDING THE PRECEDING REQUIREMENT, THE LISTS OF PERSONS  
8 FURNISHED BY THE DEPARTMENT OF CORRECTIONS, THE BOARD OF  
9 PROBATION AND PAROLE AND THE PARDONS BOARD SHALL ALSO LIST THE  
10 COUNTY OF RESIDENCE OF EACH PERSON.

11 \* \* \*

12 (C) THE INFORMATION RECEIVED BY THE AUDITOR GENERAL, THE  
13 STATE TREASURER AND THE SECRETARY OF THE BUDGET, UNDER THIS  
14 SECTION, SHALL BE PUBLIC INFORMATION[.], EXCEPT THAT THE  
15 INFORMATION IDENTIFYING THE VOTING RESIDENCE OF THE PERSONS  
16 FURNISHED BY THE DEPARTMENT OF CORRECTIONS, THE BOARD OF  
17 PROBATION AND PAROLE AND THE PARDONS BOARD IS NOT PUBLIC  
18 INFORMATION AND MAY NOT BE TREATED AS SUCH.

19 Section 2 3. This act shall take effect in 60 days.

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