

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1366 Session of
2012

INTRODUCED BY BLAKE, FONTANA, WASHINGTON, FERLO, SOLOBAY, COSTA,
FARNESE, GORDNER, YUDICHAK AND TARTAGLIONE, JANUARY 3, 2012

REFERRED TO URBAN AFFAIRS AND HOUSING, JANUARY 3, 2012

AN ACT

1 Amending the act of December 3, 1959 (P.L.1688, No.621),
2 entitled, as amended, "An act to promote the health, safety
3 and welfare of the people of the Commonwealth by broadening
4 the market for housing for persons and families of low and
5 moderate income and alleviating shortages thereof, and by
6 assisting in the provision of housing for elderly persons
7 through the creation of the Pennsylvania Housing Finance
8 Agency as a public corporation and government
9 instrumentality; providing for the organization, membership
10 and administration of the agency, prescribing its general
11 powers and duties and the manner in which its funds are kept
12 and audited, empowering the agency to make housing loans to
13 qualified mortgagors upon the security of insured and
14 uninsured mortgages, defining qualified mortgagors and
15 providing for priorities among tenants in certain instances,
16 prescribing interest rates and other terms of housing loans,
17 permitting the agency to acquire real or personal property,
18 permitting the agency to make agreements with financial
19 institutions and Federal agencies, providing for the purchase
20 by persons of low and moderate income of housing units, and
21 approving the sale of housing units, permitting the agency to
22 sell housing loans, providing for the promulgation of
23 regulations and forms by the agency, prescribing penalties
24 for furnishing false information, empowering the agency to
25 borrow money upon its own credit by the issuance and sale of
26 bonds and notes and by giving security therefor, permitting
27 the refunding, redemption and purchase of such obligations by
28 the agency, prescribing remedies of holders of such bonds and
29 notes, exempting bonds and notes of the agency, the income
30 therefrom, and the income and revenues of the agency from
31 taxation, except transfer, death and gift taxes; making such
32 bonds and notes legal investments for certain purposes; and
33 indicating how the act shall become effective," further
34 providing for definition and for fund.

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

Section 1. Section 401-D of the act of December 3, 1959
(P.L.1688, No.621), known as the Housing Finance Agency Law, is
amended by adding a definition to read:

Section 401-D. Definitions.

The following words and phrases when used in this article
shall have the meanings given to them in this section unless the
context clearly indicates otherwise:

"County." A county of the first, second, second A, third,
fourth, fifth, sixth, seventh or eighth class.

* * *

Section 2. Section 406-D of the act is amended by adding a
subsection to read:

Section 406-D. Fund.

* * *

(c) Optional county funding.--

(1) The governing body of each county may, by ordinance,
increase fees charged by the recorder of deeds for recording
any documents except:

(i) In counties of the second, second A, third,
fourth, fifth, sixth, seventh and eighth class, deeds and
mortgages.

(ii) In counties of the first class, deeds,
mortgages and related mortgage documents that are or may
be subject to 53 Pa.C.S. Ch. 60 Subch. C (relating
affordable housing programs and funding in cities of the
first class).

(2) The governing body of each county shall notify the
agency in writing upon adoption of an ordinance provided for

1 under paragraph (1). The notice shall also include a list of
2 the fees to be increased.

3 (3) The additional fees levied by a governing body of a
4 county of the second, second A, third, fourth, fifth, sixth,
5 seventh or eighth class under paragraph (1) shall not exceed
6 100% of the amounts charged under the act of June 12, 1919
7 (P.L.476, No.240), referred to as the Second Class County
8 Recorder of Deeds Fee Law, or the act of April 8, 1982
9 (P.L.310, No.87), referred to as the Recorder of Deeds Fee
10 Law, on the effective date of this subsection. The additional
11 fees levied by a governing body of a county of the first
12 class under paragraph (1) shall not exceed 100% of the
13 amounts charged by a city or county of the first class for
14 recording documents other than deeds, mortgages and other
15 related mortgage documents on the effective date of this
16 subsection.

17 (4) Money collected as a result of the fee imposed under
18 this subsection shall be allocated as follows:

19 (i) At least 75% of the money collected shall be
20 deposited into the fund.

21 (ii) A county may retain up to 25% of the money
22 collected to be utilized for local affordable housing
23 efforts, and may, at the discretion of the county,
24 deposit the money into an account already established for
25 such purpose under 53 Pa.C.S. § 6012 (relating to
26 disposition of proceeds in counties).

27 (5) The agency shall give preference to applications for
28 funding under this subsection if the proposed project is
29 located within a county that has enacted an ordinance under
30 paragraph (1).

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