

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1490 Session of
2015

INTRODUCED BY PETRI, CALTAGIRONE, COHEN, D. COSTA, DRISCOLL,
JAMES, LONGIETTI, MURT, PASHINSKI, SAYLOR AND YOUNGBLOOD,
AUGUST 13, 2015

REFERRED TO COMMITTEE ON URBAN AFFAIRS, AUGUST 13, 2015

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, providing for cultural improvement
3 district advisory committees and for neighborhood improvement
4 districts; and repealing the Neighborhood Improvement
5 District Act.

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

8 Section 1. Title 53 of the Pennsylvania Consolidated
9 Statutes is amended by adding a chapter to read:

10 CHAPTER 62

11 NEIGHBORHOOD IMPROVEMENT DISTRICTS

12 Subchapter

13 A. Preliminary Provisions

14 B. Cultural Improvement District Advisory Committees

15 C. Neighborhood Improvement Districts

16 SUBCHAPTER A

17 PRELIMINARY PROVISIONS

18 Sec.

19 6201. Scope of chapter.

1 § 6201. Scope of chapter.

2 This chapter relates to neighborhood improvement districts.

3 SUBCHAPTER B

4 CULTURAL IMPROVEMENT DISTRICT

5 ADVISORY COMMITTEES

6 Sec.

7 6211. Legislative findings.

8 6212. Definitions.

9 6213. Cultural improvement district advisory committees.

10 6214. Programs to consider.

11 6215. Local taxing options.

12 6216. Authorization of taxes.

13 § 6211. Legislative findings.

14 The General Assembly finds that:

15 (1) Municipalities across this Commonwealth contain
16 valuable and distinct geographical areas comprised
17 predominantly of real property containing institutions of
18 cultural or historical significance and the businesses and
19 neighborhoods which directly benefit from such institutions.

20 (2) Many of these municipalities are enriched by
21 educational, social or recreational opportunities that are
22 established or supported by these geographical areas of
23 cultural or historical significance.

24 (3) Regions, municipalities, school districts, residents
25 and businesses benefit directly and indirectly by the
26 availability of these educational, social or recreational
27 opportunities.

28 (4) Despite their inherent value to the surrounding
29 regions and municipalities, the public, private and not-for-
30 profit entities which own or operate the institutions

1 comprising these areas of cultural or historical significance
2 frequently face financial challenges to meet the necessary
3 costs of operation while making the benefits to the public
4 broadly available.

5 (5) Although many programs have been established by the
6 General Assembly that may support the ongoing availability
7 and development of such public benefits and the preservation
8 of such areas and institutions of cultural or historical
9 significance, local governments may nevertheless be unaware
10 of economic development programs that could support these
11 areas and institutions.

12 (6) It is therefore necessary to provide local
13 governments with a process to appoint a committee to explore
14 the utilization of available economic development programs to
15 support and develop such areas and institutions of cultural
16 or historical significance.

17 § 6212. Definitions.

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

21 "Committee." A committee established under section 6213
22 (relating to cultural improvement district advisory committees).

23 "Cultural improvement district." The term shall have the
24 same meaning given to it in Subchapter C (relating to
25 neighborhood improvement districts).

26 "Governing body." A city council, borough council,
27 incorporated town council, board of township commissioners or
28 board of township supervisors, the governing council of any unit
29 of government established and existing under Subpart E of Part
30 III (relating to home rule and optional plan government) or the

1 governing council of any similar general purpose unit of
2 government established by statute.

3 "Municipality." A city, borough, incorporated town, township
4 or home rule municipality.

5 "Neighborhood improvement district." The term shall have the
6 same meaning as given to it in Subchapter C (relating to
7 neighborhood improvement districts).

8 § 6213. Cultural improvement district advisory committees.

9 (a) Establishment.--By ordinance, the governing body of a
10 municipality may establish a cultural improvement district
11 advisory committee under this subchapter. The members of the
12 committee shall be appointed by a majority vote of a quorum of
13 the governing body and shall serve at the pleasure of the
14 governing body. The committee shall be comprised of:

15 (1) Not less than five but not more than nine members as
16 specified in the ordinance.

17 (2) Representatives of residents, nonprofit
18 organizations, institutions and business owners within the
19 municipality, who shall be representative of, and reside or
20 work in, the geographic area within and surrounding
21 institutions of cultural and historical significance in the
22 municipality.

23 (b) Compensation prohibited.--Members shall serve without
24 compensation, but may be reimbursed for reasonable expenses at
25 the governing body's discretion, and as specified in the
26 ordinance.

27 (c) Duties.--The committee shall have the following duties:

28 (1) Hold public meetings and consider:

29 (i) Whether the municipality may benefit from any
30 economic development program or other program under the

1 laws of this Commonwealth or the United States, which
2 could be used to enhance or support the areas and
3 institutions of cultural or historical significance
4 existing within the municipality. The programs shall
5 include, but need not be limited to, the programs
6 identified in section 6214 (relating to programs to
7 consider).

8 (ii) Whether the municipality may benefit from any
9 programs of nonprofit organizations, foundations, trusts
10 or similar entities for the purposes of this subchapter.

11 (iii) Whether the governing body of the municipality
12 should enact a tax under section 6215 (relating to local
13 taxing options) to support a district established by
14 Subchapter C (relating to neighborhood improvement
15 districts).

16 (2) Produce a report that contains its findings and
17 recommendations to the governing body of the municipality
18 within 180 days of the municipality's creation of the
19 committee.

20 (3) Provide additional advice to the governing body as
21 requested by the governing body.

22 § 6214. Programs to consider.

23 A committee shall consider whether the following programs and
24 any others of benefit could be utilized to enhance or support an
25 area or institution of cultural or historical significance
26 within the municipality:

27 (1) The establishment of a cultural improvement district
28 under Subchapter C (relating to neighborhood improvement
29 districts).

30 (2) The creation of a tax increment financing district

1 to enhance the area of cultural or historical significance in
2 accordance with the act of July 11, 1990 (P.L.465, No.113),
3 known as the Tax Increment Financing Act.

4 (3) Tax exemptions for the improvement of deteriorated
5 properties under the act of December 1, 1977 (P.L.237,
6 No.76), known as the Local Economic Revitalization Tax
7 Assistance Act.

8 (4) The creation of a historic district to protect
9 historical areas within or adjacent to the area of cultural
10 significance in accordance with the act of June 13, 1961
11 (P.L.282, No.167), entitled "An act authorizing counties,
12 cities, boroughs, incorporated towns and townships to
13 establish historic districts within their geographic
14 boundaries; providing for the appointment of Boards of
15 Historical Architectural Review; empowering governing bodies
16 of political subdivisions to protect the distinctive
17 historical character of these districts and to regulate the
18 erection, reconstruction, alteration, restoration, demolition
19 or razing of buildings within the historic districts."

20 (5) Grants, loans and tax credits through:

21 (i) The Keystone Communities Program and other
22 programs for the improvement of neighborhoods
23 administered by the Department of Community and Economic
24 Development.

25 (ii) The Pennsylvania Historical and Museum
26 Commission.

27 § 6215. Local taxing options.

28 (a) Authorization to municipalities.--

29 (1) Where recommended by a committee, or by an
30 established neighborhood improvement district management

1 association, designated and established by the municipality
2 under Subchapter C (relating to neighborhood improvement
3 districts), a municipality may by ordinance impose, in
4 addition to the statutory rate limits on the general purpose
5 levy real estate taxes enumerated in the municipal code
6 applicable to the municipality, a cultural improvement
7 district tax on real property not exceeding the millage
8 authorized by referendum under section 6216 (relating to
9 authorization of taxes).

10 (2) In the alternative, the municipality may by
11 ordinance impose, in addition to the earned income tax rate
12 limit enumerated in the act of December 31, 1965 (P.L.1257,
13 No.511), known as The Local Tax Enabling Act, a cultural
14 improvement district tax on the earned income of the
15 residents of the municipality not exceeding the rate
16 authorized by referendum under section 6216.

17 (3) Revenue from the levy may be used in one or more of
18 the following manners:

19 (i) The revenue may be appropriated for the
20 establishment or support of a cultural improvement
21 district, which has been, or would be, established under,
22 and for any purpose provided for under sections 6224
23 (relating to powers of municipal corporation), 6227
24 (relating to powers of neighborhood improvement district
25 management association) and 6228 (relating to additional
26 powers of neighborhood improvement district management
27 association in a cultural district).

28 (ii) The revenue may be deposited into a cultural
29 improvement district maintenance fund, established by the
30 municipality, to develop, improve, design and maintain

1 property within the cultural improvement district. In no
2 case may the municipality deposit in excess of 25% of the
3 revenue collected from the levy into the cultural
4 improvement district maintenance fund.

5 (b) Restriction.--In no event may revenue collected from the
6 levy in a particular year be used to develop, improve, design
7 and maintain the property within the cultural improvement
8 district unless the annual debt service incurred under section
9 6224 for the benefit of the cultural improvement district will
10 be satisfied.

11 § 6216. Authorization of taxes.

12 (a) Referendum required.--

13 (1) The local taxing option for a cultural improvement
14 district tax authorized by section 6215 (relating to local
15 taxing options) may not be exercised unless the governing
16 body of the municipality by ordinance provides for a
17 referendum on the question of the imposition at a specific
18 rate of the additional tax and a majority of those voting on
19 the referendum question vote in favor of the imposition of
20 the tax. The additional tax may not be repealed any sooner
21 than five years after the imposition of the tax.

22 (2) The ordinance of the governing body of the local
23 government unit providing for a referendum on the question
24 shall be filed with the county board of elections. The
25 referendum shall be governed by the provisions of the act of
26 June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania
27 Election Code.

28 (3) The election official shall cause the question to be
29 submitted to the electors of the municipality at the next
30 primary, general or municipal election occurring not later

1 than the thirteenth Tuesday following the filing of the
2 ordinance with the county board of elections.

3 (4) At such election, the question shall be submitted to
4 the voters in the same manner as other questions are
5 submitted under the provisions of the Pennsylvania Election
6 Code.

7 (5) The question to be placed upon the ballot shall be
8 framed in the following form:

9 Do you favor the imposition of a (describe tax in millage
10 or earned income tax rate) by (municipality) to be used
11 to support the (specified) cultural improvement district?

12 (b) Repeal by referendum.--

13 (1) The method of repeal of the cultural improvement
14 district tax shall be by referendum, and the procedures for
15 the filing of the ordinance and the conduct of the referendum
16 shall be the same as specified in subsection (a), except the
17 question to be placed upon the ballot shall be framed in the
18 following form:

19 Do you favor the continued imposition of the (describe
20 tax in millage or earned income tax rate) by
21 (municipality) to be used to support the (specified)
22 cultural improvement district?

23 (2) If the referendum question passes, the cultural
24 improvement district tax shall continue to be imposed at the
25 rate described in the question.

26 (3) If the referendum question fails, the increase in
27 the rate limit of the real estate or the earned income tax
28 provided for by subsection (a) shall be repealed effective in
29 the fiscal year following the referendum.

30 (4) Regardless of whether the referendum question passes

1 or fails, a referendum on either the reimposition of the open
2 space tax under subsection (a) or the continued imposition of
3 the cultural improvement district tax under this subsection
4 shall not be held any sooner than five years after the
5 approval or disapproval of the referendum question.

6 (c) Real property exemptions.--

7 (1) Any of the following categories of real property may
8 be exempted by a municipality from further millage increases:

9 (i) Real property in which the open space property
10 interests have been acquired by a municipality in
11 accordance with the act of January 19, 1968 (1967
12 P.L.992, No.442), entitled, as amended, "An act
13 authorizing the Commonwealth of Pennsylvania and the
14 local government units thereof to preserve, acquire or
15 hold land for open space uses."

16 (ii) Real property that is subject to an easement
17 acquired in accordance with the act of June 30, 1981
18 (P.L.128, No.43), known as the Agricultural Area Security
19 Law.

20 (iii) Real property from which transferable
21 development rights have been transferred and retired by a
22 municipality without their development potential having
23 occurred on other lands.

24 (2) The exemption from further millage increases for
25 real property as provided for in this section shall be
26 authorized only for real property qualifying for such
27 exemption under the provisions of section 2(b)(i) of Article
28 VIII of the Constitution of Pennsylvania.

29 (3) No exemptions granted under this section may be
30 considered by the State Tax Equalization Board in deriving

1 the market value of school district real property so as to
2 reduce the subsidy to that school district or to increase the
3 subsidy to any other school district.

4 SUBCHAPTER C

5 NEIGHBORHOOD IMPROVEMENT DISTRICTS

6 Sec.

7 6221. Scope of subchapter.

8 6222. Legislative findings.

9 6223. Definitions.

10 6224. Powers of municipal corporation.

11 6225. Neighborhood improvement districts.

12 6226. Neighborhood improvement district management
13 associations.

14 6227. Powers of neighborhood improvement district management
15 association.

16 6228. Additional powers of neighborhood improvement district
17 management association in a cultural district.

18 6229. Dissolution of neighborhood improvement district
19 management association and neighborhood improvement
20 district.

21 6230. Annual audit; report.

22 6231. Applicability.

23 § 6221. Scope of subchapter.

24 This subchapter relates to neighborhood improvement
25 districts.

26 § 6222. Legislative findings.

27 The General Assembly finds that:

28 (1) Existing tax rates in many municipalities are at or
29 near their statutory cap.

30 (2) The General Fund revenue derived from these taxes

1 many times is not sufficient to provide adequate municipal
2 services or additional services needed in specific geographic
3 areas within the municipality, including, but not limited to,
4 downtown commercial districts.

5 (3) As a result, municipalities should be encouraged to
6 establish, where feasible and desired, assessment-based
7 neighborhood improvement districts which would include, but
8 not be limited to, downtown commercial districts. Designated
9 district management associations would initiate and
10 administer programs to promote and enhance more attractive
11 and safer commercial, industrial, residential and mixed-use
12 neighborhoods; economic growth; increased employment
13 opportunities; and improved commercial, industrial, business
14 districts and business climates.

15 (4) Municipalities should be given the broadest possible
16 discretion in establishing by local ordinance the type of
17 assessment-based programs most consistent with neighborhood
18 needs, goals and objectives as determined and expressed by
19 property owners in the designated district.

20 § 6223. Definitions.

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

24 "Authority." A body politic and corporate, established under
25 the former act of May 2, 1945 (P.L.382, No.164), known as the
26 Municipality Authorities Act of 1945, or Chapter 56 (relating to
27 municipal authorities).

28 "Benefited property." Those properties located within a
29 neighborhood improvement district which profit from district
30 improvements based on a rational nexus test. Properties need not

1 profit equally to be considered to have benefited.

2 "Bonds." The term shall include the notes, bonds and other
3 evidence of indebtedness or obligations which each municipal
4 corporation is authorized to issue under section 6224(7)
5 (relating to powers of municipal corporation).

6 "Business improvement." In the case of neighborhood
7 improvement district management associations established for the
8 purpose of making improvements or providing administrative
9 services within a neighborhood improvement district, the term
10 shall mean those improvements needed in specific areas or to
11 individual properties, including, but not limited to, sidewalks,
12 retaining walls, street paving, parks, recreational equipment
13 and facilities, open space, street lighting, parking lots,
14 parking garages, trees and shrubbery, pedestrian walks, sewers,
15 water lines, rest areas and the acquisition and rehabilitation
16 or demolition of blighted buildings or structures.

17 "Business improvement district" or "BID." A business
18 improvement district established prior to February 19, 2001, and
19 governed by the former act of May 2, 1945 (P.L.382, No.164),
20 known as the Municipality Authorities Act of 1945, insofar as it
21 relates to business improvement districts or Chapter 54
22 (relating to business improvement districts). On or after
23 February 19, 2001, the term shall mean a limited geographical
24 area comprised of real property which is used for any for-profit
25 activity involving trade and traffic, or commerce in general.

26 "Commercial." Relating to or associated with any for-profit
27 activity involving trade and traffic or commerce in general.

28 "Construction expenditures." Property and right-of-way
29 acquisition costs where applicable.

30 "Costs of improvements." The term includes architectural

fees, engineering fees, attorney fees, consulting fees,
professional fees, preliminary planning expenditures,
feasibility study expenditures, financing costs and any other
expenditures necessary and incidental to the development,
construction or completion of the improvement.

"Cultural improvement district." A limited geographical area
composed of institutions of cultural or historical significance
and the surrounding businesses and neighborhoods that directly
benefit from such institutions.

"District advisory council." A committee comprised of
property owners from a neighborhood improvement district
established under section 6227(a) (relating to powers of
neighborhood improvement district management association) for
the purpose of providing guidance and direction to the
neighborhood improvement district management association
concerning association activities within the district.

"Industrial district." A limited geographical area comprised
of real property which is used predominantly for manufacturing,
commercial or any other activity related to the distribution of
goods and services and intermediate and final products,
including, but not limited to, warehousing, shipping,
transportation, remanufacturing, stockpiling of raw materials,
repair and maintenance of machinery and equipment, storage,
administration or business activities and research and
development.

"Institution." The term includes, but is not limited to, a
college, university, school, hospital, museum, theater, church,
synagogue, art center or similar facility.

"Institutional district." A limited geographical area
comprised predominantly of real property on which educational,

health-related or cultural activities occur within buildings and structures, including, but not limited to, colleges, universities, schools, hospitals, museums, theaters, churches, synagogues and art centers.

"Mixed-use district." A limited geographical area comprised of real property used for any or all purposes contained within a business, residential, industrial or institutional district.

"Municipal corporation." The body or board authorized by law to enact ordinances or adopt resolutions for a municipality.

"Municipality." With the exception of a city of the first class, a city, borough, incorporated town, township, home rule, optional plan or optional charter municipality located within this Commonwealth.

"Neighborhood." A limited geographic area within a municipality establishing a neighborhood improvement district, the limits of which form the neighborhood improvement district boundary.

"Neighborhood improvement." Improvements needed in specific geographic areas or to individual properties within those areas, including, but not limited to, sidewalks, retaining walls, street paving, parks, recreational equipment and facilities, open space, street lighting, parking lots, trees and shrubbery, sewers, water lines, rest areas and the acquisition and rehabilitation or demolition of deteriorated buildings or structures.

"Neighborhood improvement district" or "NID." A limited geographic area within a municipality, in which a special assessment is levied on all designated property, other than tax-exempt property, for the purpose of promoting the economic and general welfare of the district and the municipality, the term

includes all of the following:

(1) Business improvement district (BID).

(2) Cultural improvement district (CID).

(3) Industrial improvement district (IID).

(4) Institutional improvement district (INID).

(5) Mixed-use improvement district (MID), depending on
the type district established.

(6) Residential improvement district (RID).

A designated property may not be included in more than one
neighborhood improvement district.

"Neighborhood improvement district management association" or
"NIDMA." The governing body that oversees the management of
neighborhood improvement districts in a municipality as
established under section 6225 (relating to neighborhood
improvement districts), and is incorporated as a nonprofit
corporation in this Commonwealth or an authority as established
under the former act of May 2, 1945 (P.L.382, No.164), known as
the Municipality Authorities Act of 1945, or Chapter 56
(relating to municipal authorities).

"Neighborhood improvement district plan" or "NIDP." The
strategic plan for neighborhood improvements required by section
6225 (relating to neighborhood improvement districts), and all
projects, programs and supplemental services to be provided
within the district to implement the plan by the neighborhood
improvement district management association.

"Neighborhood improvement district services." In the case
of:

(1) A neighborhood improvement district management
association established for the purpose of making
improvements or providing expanded services within an

1 established neighborhood business improvement district, the
2 term shall include, but not be limited to, those services
3 which improve the ability of the commercial establishments
4 within the neighborhood business improvement district to
5 serve the consumer, such as free or reduced-fee parking for
6 customers, transportation-related expenses, public relations
7 programs, group advertising and district maintenance and
8 security services.

9 (2) A residential, industrial, institutional or mixed-
10 use neighborhood improvement district, the term shall
11 include, but not be limited to, those services which improve
12 the ability of property owners to enjoy a safer and more
13 attractive neighborhood through the provision of increased or
14 expanded services, including street lighting, street
15 cleaning, street maintenance, parks, recreational equipment
16 and facilities, open space or security services.

17 "Nonprofit corporation." A legal entity that is incorporated
18 within this Commonwealth and specifies in its charter or bylaws
19 that no part of the net earnings may benefit any private
20 shareholder or individual holding interest in the legal entity.

21 "Private security officer." Any person or firm employed by a
22 neighborhood improvement district management association for the
23 purpose of providing increased security or protective patrol
24 services within the neighborhood improvement district. The term
25 may include an off-duty police officer, provided that the use of
26 the officer for this purpose is approved by the governing body
27 of the municipality in which the neighborhood improvement
28 district is located or the municipality where the officer is
29 employed, if different.

30 "Project." The acquisition, development, construction,

improvement, rehabilitation, operation or maintenance of a building, facility, equipment or structure, by purchase, lease or contract, by a neighborhood improvement district management association to facilitate neighborhood and business improvements as authorized by this subchapter.

"Rational nexus." The legal principle which requires that there is a rational, definable benefit which accrues to a property owner assessed a fee for the benefit in a neighborhood improvement district established under this subchapter. All property owners within a designated neighborhood improvement district paying a special assessment fee must benefit directly or indirectly from facilities or services provided by a neighborhood improvement district management association within the neighborhood improvement district, provided, however, that property owners need not benefit equally.

"Residential district." A limited geographical area comprised of real property consisting predominantly of buildings and structures for housing individuals and families, including, but not limited to, single-family detached homes, single-family semidetached homes, townhouses, condominiums, apartments, manufactured homes, modular homes or any combination of same.

"Service area." The area within the boundaries of a neighborhood improvement district established by a municipality under this subchapter in which the neighborhood improvement district management association provides programs, services and improvements. The term may also include an area outside of the neighborhood improvement district where services are being provided by the neighborhood improvement district management association under contract.

"Special assessment fee." The fee assessed on property

owners within a neighborhood improvement district levied by the
municipality establishing a neighborhood improvement district
under section 6224(10) (relating to powers of municipal
corporation) for the purposes of providing programs,
improvements and services under section 6227 (relating to powers
of neighborhood improvement district management association).

"Sunset provision." The term means a provision in the
neighborhood improvement district plan under section 6225(c)
(relating to neighborhood improvement districts), establishing a
neighborhood improvement district, which provides for the
automatic termination of the neighborhood improvement district
on a date specified in the neighborhood improvement district
plan and in the municipal ordinance establishing the
neighborhood improvement district. The neighborhood improvement
district may be continued beyond that date, provided that the
municipal enabling ordinance establishing the original
neighborhood improvement district is reenacted, following a
review of the neighborhood improvement district and the
neighborhood improvement district management association
programs and services provided within the neighborhood
improvement district by the municipality.

§ 6224. Powers of municipal corporation.

A municipal corporation shall have the power:

(1) To establish within the municipality an area or
areas designated as an NID.

(2) To establish an authority to administer the NID or
to designate an existing community development corporation or
other existing nonprofit corporation to administer same or to
establish a community development corporation or other
nonprofit corporation to administer same under sections 6226

1 (relating to neighborhood improvement district management
2 associations) and 6227 (relating to powers of neighborhood
3 improvement district management association).

4 (3) To appropriate and expend, in accordance with the
5 specific provisions of the municipal enabling ordinance,
6 municipal funds as may be required to:

7 (i) Acquire by purchase or lease real or personal
8 property deemed necessary to effectuate the purposes of
9 the NID.

10 (ii) Prepare or have prepared preliminary planning
11 or feasibility studies to determine needed improvements
12 in an NID, including, but not limited to, capital
13 improvements, traditional streetscape and building
14 renovations, retaining walls, street paving, street
15 lighting, parking lots, parking garages, trees and
16 shrubbery, pedestrian walks, sewers, water lines, rest
17 areas, acquisition, rehabilitation or demolition of
18 blighted buildings and structures, graffiti removal,
19 security, marketing, promotions, advertising, business
20 retention and recruitment activities, master leasing and
21 property management, joint advertising, research and
22 planning as well as the provision of additional services
23 to supplement, not replace, existing municipal services
24 provided within the NID.

25 (4) To advance funds to an NIDMA as may be required to
26 carry out the purposes of this subchapter.

27 (5) To collect special property assessments on behalf of
28 the NIDMA levied on designated property owners within the NID
29 and to employ any legal methods to ensure collection of the
30 assessments.

1 (6) To acquire by gift, purchase or eminent domain,
2 land, real property or rights-of-way which may be needed for
3 the purposes of making physical improvements within the NID.

4 (7) To issue bonds, notes or guarantees, in accordance
5 with the provisions of general laws in the amounts and for
6 the periods necessary, to finance needed improvements within
7 any NID.

8 (8) To review all proposed expenditures of funds within
9 NIDs by NIDMAs and suggest changes to same where a nonprofit
10 corporation is the NIDMA.

11 (9) To include a sunset provision of no less than five
12 years in the municipal enabling ordinance creating the NID
13 and in the contract with the NIDMA.

14 (10) To levy an assessment fee on property owners
15 located within an NID needed to finance additional
16 supplemental programs, services and improvements to be
17 provided or made by the NIDMA.

18 § 6225. Neighborhood improvement districts.

19 (a) Establishment.--

20 (1) The governing body of a municipality or municipal
21 business or residents, or combination thereof, may initiate
22 action to establish an NID or NIDs within the municipality
23 under this subchapter.

24 (2) In the case of businesses or residents, or both,
25 desiring to establish an NID where the municipality has not
26 taken action to do so, the governing body of the municipality
27 may be petitioned to establish an NID under the procedures
28 provided for by this subchapter.

29 (3) In no case where the governing body of a
30 municipality is petitioned to establish an NID under

1 paragraph (2) shall the municipality be required to establish
2 an NID.

3 (b) Specific procedures.--

4 (1) A copy of everything required under this section, as
5 well as the date, location and time of any public hearing
6 required by this subchapter, shall be provided by the
7 municipal corporation to all property owners and lessees of
8 property owners located in the proposed NID at least 30 days
9 prior to the first public hearing required by this section.

10 (2) At least one public hearing, no earlier than 15 days
11 apart, for the purpose of receiving public comment from
12 affected property owners within the proposed NID, on the
13 proposed NIDP, shall be held by the municipality before the
14 establishment of an NID. Notice of the hearing shall be
15 advertised at least 10 days prior thereto in a newspaper of
16 general circulation in the municipality.

17 (3) Any objections by property owners within the
18 proposed NID must be made in writing by persons representing
19 the ownership of 40%, in numbers, of the benefited properties
20 within the NID. Objections must be signed by the property
21 owner and filed in the office of the clerk for the governing
22 body of the municipality in which the NID is proposed.

23 (c) Contents of preliminary plan.--The plan shall include
24 the following:

25 (1) A map indicating the boundaries, by street, of the
26 proposed NID; however, a designated property may not be
27 included in more than one NID.

28 (2) A written report from the municipality containing:

29 (i) The name of the proposed district.

30 (ii) A detailed description of the service areas of

1 the proposed district.

2 (iii) A list of all properties to be assessed.

3 (iv) A list of proposed improvements within the NID
4 and their estimated cost.

5 (v) A proposed budget for the first fiscal year,
6 including, but not limited to, the following:

7 (A) personnel and administration;

8 (B) programs and services;

9 (C) maintenance and operation; and

10 (D) capital expenditures.

11 (vi) The proposed revenue sources for financing all
12 proposed improvements, programs and services.

13 (vii) The estimated time for implementation and
14 completion of all proposed improvements, programs and
15 services.

16 (viii) A statement identifying the administrative
17 body which will govern and administer the NID.

18 (ix) Any other information, including the statutory
19 authority or, in the case of a nonprofit corporation, the
20 bylaws, which describe the powers and duties of and the
21 method for making decisions by the NIDMA.

22 (x) The method of determining the amount of the
23 assessment fee to be levied on property owners within the
24 NID under section 6227 (relating to powers of
25 neighborhood improvement district management
26 association).

27 (3) The plan shall also:

28 (i) Identify in detail the specific duties and
29 responsibilities of both the NIDMA and the municipal
30 corporation with respect to the NID.

1 (ii) Require that a written agreement be signed by
2 the municipal corporation and the NIDMA describing in
3 detail their respective duties and responsibilities.

4 (iii) Allow for and encourage tax-exempt property
5 owners located within the NID to provide in-kind services
6 or a financial contribution to the NIDMA, if not
7 assessed, in lieu of a property assessment fee.

8 (iv) Require in the agreement between the municipal
9 corporation and the NIDMA that the municipality must
10 maintain the same level of municipal programs and
11 services provided within the NID before NID designation
12 as after NID designation.

13 (v) Allow the municipal corporation the right to
14 include in the agreement with the NIDMA and in the
15 enabling ordinance establishing the NID, a sunset
16 provision of no less than five years for renewal of the
17 agreement.

18 (vi) Require in the agreement with the NIDMA that
19 the municipality establishing an NID collect all property
20 assessment fees levied within the NID if so desired by
21 the NIDMA.

22 (vii) Provide that a negative vote of at least 40%
23 of the property owners within the NID proposed in the
24 final plan shall be required to defeat the establishment
25 of the proposed NID by filing objections with the clerk
26 for the governing body of the municipality within 45 days
27 of presentation of the final plan where the governing
28 body of the municipality is inclined to establish the
29 NID.

30 (d) Final plan.--

1 (1) Prior to the establishment of an NID, the
2 municipality shall submit a revised final plan to property
3 owners located within the proposed NID which incorporates
4 changes made to the plan based on comments from affected
5 property owners within the NID provided at the public
6 hearings or at some other time.

7 (2) Changes to the final plan which differ from the
8 preliminary plan shall also be so indicated in an easily
9 discernible method for the reader, including, but not limited
10 to, changes being in boldfaced or italicized type.

11 (e) Public hearing.--

12 (1) At least one public hearing for the purpose of
13 receiving public comment on any revisions to the preliminary
14 plan made following suggestions by affected property owners
15 within the proposed NID and reflected in the final NIDP shall
16 be held by the municipal corporation before enacting an
17 ordinance establishing an NID.

18 (2) Notice of the hearing shall be advertised at least
19 10 days prior thereto in a newspaper of general circulation
20 in the municipality.

21 (f) Veto of final plan for NID.--

22 (1) Following the last public hearing required under
23 subsection (e) or under subsection (g) if there is an
24 amendment to the final plan, affected property owners located
25 within a proposed NID shall have 45 days from the date of the
26 hearing to object to and disapprove the final plan or any
27 amendment to the final plan under the requirements of
28 subsection (b) (3).

29 (2) If 40% or more of the affected property owners
30 within the proposed NID fail to register their disapproval of

1 the final plan or amendment to the final plan in writing with
2 the clerk of the governing body of the municipality in which
3 the NID is proposed, the governing body of the municipality
4 may, following the 45-day period, enact a municipal ordinance
5 establishing an NID under this subchapter or, in the case of
6 an amendment to the final plan, adopt any amendments to the
7 ordinance.

8 (g) Amendments to final plan.--

9 (1) The final plan may be amended by the NIDMA any time
10 after the establishment of an NID, under the provisions of
11 this subchapter, upon the recommendation of the NIDMA board,
12 provided there is concurrence with 60% of the property owners
13 within the NID.

14 (2) Amendments to the final plan which also require the
15 approval of the governing body of the municipality
16 establishing the NID include:

17 (i) Substantially changed or added programs,
18 improvements or services to be provided in the NID.

19 (ii) Increased expenditures affecting more than 25%
20 of the total NIDMA budget for the fiscal year.

21 (iii) Incurring increased indebtedness.

22 (iv) Changing the assessment fee structure levied on
23 property owners in the NID.

24 (v) Changing the legal entity of the NIDMA which
25 provides programs, improvements and services within the
26 NID.

27 (vi) Changing the NID service area boundary.

28 Prior to the governing body of the municipality approving any
29 change enumerated in this paragraph, the governing body shall
30 hold at least one public hearing to determine that the change

1 is in the public interest as it relates to affected property
2 owners within the NID.

3 (3) The municipality shall provide public notice of the
4 hearing for the amendment by publication of a notice in at
5 least one newspaper having a general circulation in the NID
6 specifying the time and place of such hearing and the
7 amendment to be considered. The notice shall be published
8 once at least 10 days prior to the date of the hearing.

9 (4) The governing body of the municipality may within 30
10 days following the public hearing and, at its sole
11 discretion, approve or disapprove of the amendment to the
12 plan. If approved, the amendment shall be effective upon the
13 date of such approval.

14 (5) Prior to the adoption of an amendment to the NID
15 boundary which increases the size of the NID, any owner of
16 property to be added to the NID shall be notified of the
17 date, time and location of the public hearing on the proposed
18 amendment to the final plan and provided all information
19 required by subsection (c).

20 § 6226. Neighborhood improvement district management
21 associations.

22 (a) Designation.--When a municipality establishes an NID
23 under this subchapter, an NIDMA shall be designated by the
24 governing body of the municipality in which the NID is to be
25 located to administer programs, improvements and services within
26 the NID.

27 (b) Administration.--

28 (1) NIDs established under this subchapter shall be
29 administered by an NIDMA which shall be an authority
30 established under the former act of May 2, 1945 (P.L.382,

1 No.164), known as the Municipality Authorities Act of 1945,
2 or Chapter 56 (relating to municipal authorities), an
3 existing nonprofit development corporation, an existing
4 nonprofit corporation or a nonprofit development corporation
5 or nonprofit corporation established by the governing body or
6 authorized to be established by the governing body of the
7 municipality in which the NID is to be located, to administer
8 the NIDP.

9 (2) If an active nonprofit development corporation
10 already exists within the geographic boundaries of the NID
11 and formally indicates its interest to the governing body of
12 the municipality to become the designated NIDMA, the
13 governing body of the municipality shall grant that request
14 unless 40% or more of the affected property owners within the
15 proposed NID register their disapproval of this designation
16 in writing with the clerk of the governing body within a 45-
17 day period following the formal written request for
18 designation by the nonprofit development corporation to
19 become the NIDMA.

20 (c) Powers.--An NIDMA established under this subchapter
21 shall assume all powers provided for in section 6227 (relating
22 to powers of neighborhood improvement district management
23 association) immediately upon the effective date of the
24 municipal ordinance enacted under section 6224 (relating to
25 powers of municipal corporation) establishing the NID.

26 (d) Board.--An NIDMA shall have an administrative board as
27 follows:

28 (1) Where an authority established under the former
29 Municipality Authorities Act of 1945 or Chapter 56 serves as
30 the NIDMA, the board shall be appointed under the former

1 Municipality Authorities Act of 1945 or Chapter 56, as
2 applicable.

3 (2) Where an existing nonprofit development corporation
4 or other nonprofit corporation is to serve as the NIDMA, the
5 board shall be appointed according to the bylaws of the NIDMA
6 filed with the Department of State.

7 (3) Where a nonprofit development corporation or other
8 nonprofit corporation is established to serve as the NIDMA
9 for an NID, the board shall be comprised of an odd number of
10 members, between five and nine, with at least one member
11 representing the municipal corporation in which the NID is
12 located.

13 (4) In all cases, an NIDMA board shall include a
14 representative of property owners located in the NID,
15 business owners located in the NID and any institution
16 located in the NID. Institutional members may appoint a
17 designee to represent them. All board members need not be
18 residents of the NID.

19 § 6227. Powers of neighborhood improvement district management
20 association.

21 (a) General powers.--An NIDMA shall have, in addition to any
22 other powers provided under Chapter 56 (relating to municipal
23 authorities), where the NIDMA is an authority, or in addition to
24 any other powers provided under the charter establishing a
25 nonprofit development corporation or other nonprofit
26 corporation, where the NIDMA is a nonprofit development
27 corporation or other nonprofit corporation, the power to:

28 (1) Sue or be sued, implead or be impleaded, complain
29 and defend in all courts.

30 (2) Employ an executive director or administrator and

1 any necessary supporting staff or contract for the provision
2 of same.

3 (3) Prepare planning or feasibility studies or contract
4 for the preparation of same to determine needed capital
5 improvements or administrative programs and services within
6 the NID.

7 (4) Make capital improvements or provide administrative
8 programs and services within an NID.

9 (5) Purchase, own, construct, renovate, develop,
10 operate, rehabilitate, manage, sell or dispose of real
11 property.

12 (6) Contract with existing businesses within the NID.

13 (7) Contract for the provision of products or services
14 by the NIDMA to clients located inside and outside of the
15 NID, including billing and collection of assessment fees by
16 another NIDMA.

17 (8) Appropriate and expend NID funds which would include
18 any Federal, State or municipal funds received by the NIDMA.
19 The funds shall be expended in accordance with any specific
20 provisions contained in the municipal enabling ordinance
21 establishing the NID and may be used:

22 (i) To acquire by purchase or lease real or personal
23 property to effectuate the purposes of this subchapter,
24 including making common improvements within the NID,
25 including, but not limited to, sidewalks, retaining
26 walls, street paving, parks, recreational equipment and
27 facilities, open space, street lighting, parking lots,
28 parking garages, trees and shrubbery, pedestrian walks,
29 sewers, water lines, rest areas and the acquisition,
30 rehabilitation or demolition of blighted buildings or

1 comparable structures.

2 (ii) To provide free or reduced-fee parking for
3 customers of businesses within the NID, transportation-
4 related expenditures, public relations programs, group
5 advertising and NID maintenance and security services.

6 (iii) To impose special assessment fees.

7 (9) Solicit in-kind services or financial contributions
8 from tax-exempt property owners within the NID in lieu of
9 property assessment fees. This may include entering into
10 voluntary multiyear agreements between the NIDMA and tax-
11 exempt property owners located within an NID for the
12 provision of same.

13 (10) Impose liens on property for the nonpayment of
14 property assessments. An NID administered by a nonprofit
15 corporation would have any such liens filed by the municipal
16 corporation.

17 (11) Hire additional off-duty police officers or private
18 security officers whose patrol area responsibilities are
19 limited to the geographical area incorporated within the
20 designated NID service area and whose responsibility is to
21 support existing municipal and volunteer efforts aimed at
22 reducing crime and improving security in the NID.

23 (12) Designate a district advisory committee for each
24 NID established within the municipality. The committee shall
25 consist of an odd number of members, between five and nine,
26 who must represent the neighborhood's character, including,
27 but not limited to, age, sex and cultural diversity.

28 (b) Assessments.--

29 (1) The NIDMA shall, upon approval by the governing body
30 of the municipality, have the power to assess property owners

1 within the NID a special property assessment fee. Revenues
2 from the fee shall be accounted for and used by the NIDMA to
3 make improvements and provide programs and services within
4 the NID as authorized by this subchapter. Where the district
5 established is a bid, the NIDMA may exempt residential
6 property owners from any special assessment fees levied.

7 (2) All assessments authorized under this section shall
8 be calculated using January 1 as the first day of the fiscal
9 year.

10 (3) All special property assessment fees shall be based
11 upon the estimated cost of the programs, improvements or
12 services to be provided in the NID as stated in the final
13 plan under section 6225(d) (relating to neighborhood
14 improvement districts). In no case shall the aggregate amount
15 of all fees levied by the NIDMA during the year exceed the
16 estimated cost of proposed programs, improvements and
17 services for the year.

18 (4) In the case of an NID which contains a combination
19 of business, residential, industrial or institutional areas
20 and uses, a weighted assessment may be instituted. In such
21 case, the fee levied on property owners generally may be
22 weighted higher for business, industrial or institutional
23 properties than that levied on residential property owners,
24 provided that the basis for the calculation of the fee meets
25 the rational nexus test.

26 (5) The total costs of improvements, programs and
27 administrative services provided by the NIDMA shall be
28 assessed to all designated properties within the NID by one
29 of the following methods:

30 (i) An assessment determined by multiplying the

1 total service and improvement costs by the ratio of the
2 assessed value of the benefited property to the total
3 assessed valuation of all designated benefited properties
4 in the NID.

5 (ii) An assessment upon the several properties in
6 the NID in proportion to benefits as ascertained by
7 viewers appointed in accordance with law.

8 (iii) Any method that equitably apportions costs
9 among benefiting properties.

10 (iv) In the case of improvements benefiting
11 properties abutting the NID by the front-foot method,
12 with equitable adjustments for corner properties and
13 other cases provided for in the municipal ordinance. Any
14 property which cannot be equitably assessed by the front-
15 foot method may be assessed by any of the methods
16 enumerated in subparagraphs (i), (ii) and (iii).

17 (c) Payment.--

18 (1) The governing body may by ordinance authorize the
19 payment of the assessment in equal annual or more frequent
20 installments over such time and bearing interest at the rate
21 specified in the municipal ordinance.

22 (2) If bonds have been issued and sold or notes or
23 guarantees have been given or issued to provide for the cost
24 of the services and improvements, the assessment in equal
25 installments shall not be payable beyond the term for which
26 the bonds, notes or guarantees are payable.

27 (d) Liens.--

28 (1) Notwithstanding the filing of the claims, all
29 assessments which are made payable in installments shall
30 constitute liens and encumbrances upon the respective

1 benefited properties at the beginning of each calendar year,
2 except as provided in subsection (c), and only in an amount
3 equal to the sum of:

4 (i) the annual or other installments becoming
5 payable in such year, with interest and penalties, if
6 any, thereon; and

7 (ii) the total of all installments, with interest
8 and penalties thereon, which became due during prior
9 years and which remain due and unpaid at the beginning of
10 the current year.

11 (2) In the case of default in the payment of any
12 installment and interest for a period of 90 days after the
13 payment becomes due, the assessment ordinance may provide
14 either for the entire assessment, with accrued interest and
15 penalties, to become due and become a lien from the due date
16 of the installment or may provide solely for the enforcement
17 of the claim as to the overdue installment, with interest and
18 penalties, in which case the ordinance shall further provide
19 that if any installment or portion thereof remains due and
20 unpaid for one year after it has become due and payable, then
21 the entire assessment with accrued interest and penalties
22 shall become due and become a lien from the due date of the
23 installment.

24 (3) No action taken to enforce a claim for any
25 installment or installments shall affect the status of any
26 subsequent installment of the same assessment, each of which
27 shall continue to become a lien upon the property annually
28 under paragraph (1).

29 (4) The ordinance may contain any other provision
30 relating to installment assessments which is not inconsistent

1 with applicable law.

2 (5) An owner of property against whom an assessment has
3 been made may pay the assessment in full at any time, with
4 accrued interest and costs thereon. The payment shall
5 discharge the lien of the assessment or installments then
6 constituting a lien and release the claim to any later
7 installments.

8 (6) Claims to secure the assessments shall be entered in
9 the prothonotary's office of the county at the same time and
10 in the same form and collected in the same manner as
11 municipal tax claims are filed and collected, notwithstanding
12 the provisions of this section as to installment payments.

13 § 6228. Additional powers of neighborhood improvement district
14 management association in a cultural district.

15 (a) General rule.--In addition to the powers listed in
16 section 6227 (relating to powers of neighborhood improvement
17 district management association), an NIDMA that is established
18 to oversee a cultural improvement district shall have the powers
19 enumerated in this section.

20 (b) Grant program.--

21 (1) The NIDMA board may annually distribute funds
22 through a cultural district grant program. The cultural
23 district grant program shall distribute funds throughout the
24 cultural district to fund projects that improve the cultural
25 nature of the district.

26 (2) Applicants must submit the grant application to the
27 board between January 1 and March 1 and use the standard form
28 provided by the NIDMA board.

29 (3) Between March 1 and April 1, the NIDMA board shall
30 review the submitted applications.

1 (4) The applicants of applications that are missing any
2 information shall be notified through the mail and given 15
3 days to supply the missing information.

4 (5) Between April 1 and June 1, the NIDMA board shall
5 convene two public hearings to receive public comment in
6 regards to the applications being considered. The hearings
7 shall be advertised in accordance with the provisions of 65
8 Pa.C.S. Ch. 7 (relating to open meetings).

9 (6) (i) Between June 1 and June 30, the board shall
10 meet to discuss the comments provided by the public and
11 vote on the applications.

12 (ii) Any grant must be approved or rejected by the
13 majority of the entire NIDMA board membership.

14 (iii) The NIDMA board shall not be required to
15 approve grants every year.

16 (7) (i) On or after August 1 but not later than
17 September 1, the NIDMA board shall hold a public meeting
18 to announce which grants have received approval. The
19 board shall notify each applicant of the board decision.

20 (ii) If the application is rejected, the board shall
21 provide comments describing why the application was
22 rejected.

23 (iii) Rejection of an application does not prevent
24 an applicant from reapplying at a later date.

25 (c) Demonstration of benefit required.--Funds distributed
26 through the application process provided for under this section
27 must provide a benefit to the entire cultural district.

28 (d) Restriction.--No funds distributed under this section
29 may be used for the payment of salaries or the replacement of
30 equipment.

1 § 6229. Dissolution of neighborhood improvement district
2 management association and neighborhood improvement
3 district.

4 (a) Conveying projects.--When an NIDMA has finally paid and
5 discharged all bonds which together with the interest due
6 thereon are secured by a pledge of any of the revenues or
7 receipts of a project, it may, subject to any agreements
8 concerning the operation or disposition of the project and the
9 NIDMA bylaws, convey the project or projects to the municipal
10 corporation which established the NIDMA.

11 (b) Request for termination by assessed property owners.--

12 (1) Any request for the termination of the NID and NIDMA
13 approved by 40% of the assessed property owners, in numbers,
14 located in the NID must be submitted to the governing body of
15 the municipality in writing.

16 (2) The governing body shall hold a hearing on the
17 merits of the request, under section 6225(b)(2) (relating to
18 neighborhood improvement districts) as it relates to the
19 required procedure of holding a hearing.

20 (3) The request shall be considered by the governing
21 body of the municipality.

22 (4) If the request is approved by the governing body of
23 the municipality, then a resolution to that effect shall be
24 filed with the Secretary of the Commonwealth.

25 (5) The Secretary of the Commonwealth shall note the
26 termination of the existence on the record of incorporation
27 and return the resolution with the secretary's approval shown
28 on the resolution to the municipal corporation.

29 (6) Upon the secretary's receipt of the notice, the
30 property of the NIDMA shall pass to the municipal

1 corporation, as the case may be, and the NIDMA and NID shall
2 cease to exist.

3 (c) Request for termination by governing body.--

4 (1) A request for the termination of the NID and NIDMA
5 by the governing body of the municipality in which the NID is
6 located shall result in a hearing on the merits of the
7 request, under section 6225(b)(2) as it relates to the
8 required procedure for holding a hearing.

9 (2) Before the decision to terminate an NID and NIDMA is
10 made, the termination must be approved by 40% of the assessed
11 property owners, in numbers, located in the NID and shall be
12 submitted to the governing body of the municipality in
13 writing.

14 (3) The written request shall be considered by the
15 governing body of the municipality. If the request is
16 approved by the governing body of the municipality, then a
17 resolution to that effect shall be filed with the Secretary
18 of the Commonwealth.

19 (4) The Secretary of the Commonwealth shall note the
20 termination of the existence on the record of incorporation
21 and return the resolution with the secretary's approval shown
22 to the municipal corporation.

23 (5) Upon the secretary's receipt of the notice, the
24 property of the NIDMA shall pass to the municipal
25 corporation, as the case may be, and the NIDMA and NID shall
26 cease to exist.

27 § 6230. Annual audit; report.

28 The NIDMA shall annually:

29 (1) Submit an audit of all income and expenditures to
30 the Department of Community and Economic Development and the

governing body of the municipality in which the NID is located within 120 days after the end of each fiscal year.

(2) Submit a report, including financial and programmatic information, including a summary of audit findings, to the governing body of the municipality in which the NID is located and to all assessed property owners located in the NID.

§ 6231. Applicability.

(a) Existing districts.--Except as provided for in subsection (d), any existing business improvement district or downtown improvement district established prior to February 19, 2001, shall remain in existence and shall be governed by Chapter 56 (relating to municipal authorities), insofar as it relates to business improvement districts, or Chapter 54 (relating to business improvement districts).

(b) Districts established subsequently.--Any NID established on or after February 19, 2001, shall be governed by the provisions of this subchapter.

(c) Previously terminated districts.--Any business improvement district or downtown improvement district in existence prior to February 19, 2001, which is terminated shall, upon its reestablishment, be governed by the provisions of this subchapter. This shall include any termination resulting from a sunset provision in any municipal agreement or ordinance.

(d) Additional requirements.--Any business improvement district or downtown improvement district in existence on or after February 19, 2001, shall:

(1) Be required to carry out any duty or responsibility imposed on NIDs under this subchapter.

(2) Possess any additional power given to NIDs under

1 this subchapter without having to restructure or reorganize
2 under this subchapter.

3 Section 2. Repeals are as follows:

4 (1) The General Assembly declares that the repeal under
5 paragraph (2) is necessary to effectuate the addition of 53
6 Pa.C.S. Ch. 62 Subch. C.

7 (2) The act of December 20, 2000 (P.L.949, No.130),
8 known as the Neighborhood Improvement District Act, is
9 repealed.

10 Section 3. The addition of 53 Pa.C.S. Ch. 62 Subch. C is a
11 continuation of the former act of December 20, 2000 (P.L.949,
12 No.130), known as the Neighborhood Improvement District Act. The
13 following apply:

14 (1) Except as otherwise provided in 53 Pa.C.S. Ch. 62
15 Subch. C, all activities initiated under the the Neighborhood
16 Improvement District Act shall continue and remain in full
17 force and effect and may be completed under 53 Pa.C.S. Ch. 62
18 Subch. C. Orders, regulations, rules and decisions which were
19 made under the Neighborhood Improvement District Act and
20 which are in effect on the effective date of this section
21 shall remain in full force and effect until revoked, vacated
22 or modified under 53 Pa.C.S. Ch. 62 Subch. C. Contracts,
23 obligations and collective bargaining agreements entered into
24 under the Neighborhood Improvement District Act are not
25 affected nor impaired by the repeal of the Neighborhood
26 Improvement District Act.

27 (2) Except as set forth in paragraph (3), any difference
28 in language between 53 Pa.C.S. Ch. 62 Subch. C and the
29 Neighborhood Improvement District Act is intended only to
30 conform to the style of the Pennsylvania Consolidated

1 Statutes and is not intended to change or affect the
2 legislative intent, judicial construction or administration
3 and implementation of the Neighborhood Improvement District
4 Act.

5 (3) Paragraph (2) does not apply to the addition of the
6 following provisions:

7 (i) The definitions of "cultural improvement
8 district" and "neighborhood improvement district" in 53
9 Pa.C.S. § 6223.

10 (ii) 53 Pa.C.S. § 6228.

11 Section 4. This act shall take effect in 60 days.