

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 406 Session of 2019

INTRODUCED BY COX, CIRESI, DeLUCA, FREEMAN, GILLEN, HILL-EVANS, JAMES, JOZWIAK, MALONEY, MILLARD, B. MILLER, OWLETT, SAMUELSON AND ZIMMERMAN, APRIL 2, 2019

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 30, 2019

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in public improvements, utilities and
3 services, providing for public notice and public meeting
4 requirements.

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

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

9 CHAPTER 52

10 GENERAL PROVISIONS

11 Subchapter

12 A. (Reserved)

13 B. Public Notices and Public Meetings

14 SUBCHAPTER A

15 (Reserved)

16 SUBCHAPTER B

17 PUBLIC NOTICES AND PUBLIC MEETINGS

18 Sec.

1 5211. Definitions.

2 5212. Sale or lease of water or sewer system.

3 § 5211. Definitions.

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

7 "Municipal corporation." A city, county, borough, township,
8 incorporated town, home rule municipality, optional plan
9 municipality or optional charter municipality.

10 "Public notice." Notice published once each week for two
11 successive weeks in a newspaper of general circulation.

12 § 5212. Sale or lease of water or sewer system.

13 In addition to the provisions of 65 Pa.C.S. Ch. 7 (relating
14 to open meetings), prior to entering into an agreement to sell
15 or lease a water or sewer system owned or operated by a
16 municipal corporation or to sell or lease a water or sewer
17 system currently OWNED OR operated by a municipal authority that <--
18 would require dissolution by the municipal corporation, the
19 municipal corporation shall hold at least 1 advertised public
20 meeting, not more than 60 days nor fewer than 7 days prior to
21 entering into the agreement with the potential purchaser or
22 lessee, and shall provide public notice of the meeting in all
23 municipalities served by the water or sewer system. The
24 potential purchaser or lessee shall attend the meeting.

25 Section 2. This act shall take effect in 60 days.