

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 527 Session of 2021

INTRODUCED BY COX, BROOKS, CIRESI, FREEMAN, HILL-EVANS, HOWARD, JAMES, MILLARD, MOUL, NEILSON AND GILLEN, JUNE 11, 2021

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JANUARY 11, 2022

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 AND <--
4 CONSENT 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 AND CONSENT <--

14 SUBCHAPTER A

15 (Reserved)

16 SUBCHAPTER B

17 PUBLIC NOTICES AND, PUBLIC MEETINGS AND CONSENT <--

18 Sec.

1 5211. Definitions.

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

3 5213. REQUISITE CONSENT FOR ACQUISITION OF WATER OR WASTEWATER <--

4 COMPANIES.

5 § 5211. Definitions.

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

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

12 "Public notice." Notice published once each week for two
13 successive weeks in a newspaper of general circulation and on
14 the municipal corporation's website, if the municipal
15 corporation has a publicly accessible Internet website.

16 § 5212. Sale or lease of water or sewer system.

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

29 § 5213. REQUISITE CONSENT FOR ACQUISITION OF WATER OR <--

30 WASTEWATER COMPANIES.

1 AN ACQUISITION OF AN ENTITY SUBJECT TO SECTION 5610 (A.1)
2 (RELATING TO GOVERNING BODY) UNDER 66 PA.C.S. § 1329 (RELATING
3 TO VALUATION OF ACQUIRED WATER AND WASTEWATER SYSTEMS) MAY NOT
4 BE DEEMED IN THE PUBLIC INTEREST BY THE PENNSYLVANIA PUBLIC
5 UTILITY COMMISSION WITHOUT THE UNANIMOUS CONSENT OF THE
6 GOVERNING BODY ESTABLISHED UNDER SECTION 5610 (A.1).

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