



HOUSE COMMITTEE ON APPROPRIATIONS

2009-10 Legislative Session

FISCAL NOTE

SENATE BILL: 900

PRINTER'S NO: 2239

PRIME SPONSOR: Argall

FISCAL IMPACT SUMMARY	FY 2010/11	FY 2011/12
Expenditure Increase/(Decrease):		
Local Funds	See analysis	See analysis
General Fund	See analysis	See analysis

OVERVIEW:

Senate Bill 900, Printer's Number 2239 amends Title 53 (Municipalities) of the Pennsylvania Consolidated Statutes to add a new chapter concerning Neighborhood Blight Reclamation and Revitalization. The bill provides additional powers to a municipality to take action against an owner of real property that is in serious violation of code, or an owner who fails to correct a condition which causes the property to be regarded as a public nuisance.

A municipality may initiate an *in personam* action against an owner for a continuing violation for which the owner takes no substantial step to correct within six months of receiving an order to correct a violation. The municipality may also recover an amount equal to any penalties imposed against the owner and any costs of remediation incurred by the municipality to fix the code violation. To recover the amount, a lien may be placed against the assets of the owner.

A municipality may also deny a permit to an applicant who owns real property in any municipality and has a tax, water, sewer or refuse collection delinquency. The municipality may also deny a permit for failure to abate a serious violation of state law or code, for which a magisterial district judges or municipal court has imposed fines or penalties. The bill establishes a process for permit denials and a process to show proof of compliance.

The bill also provides that the Administrative Office of Pennsylvania Courts may develop annual training programs for judges regarding laws of the Commonwealth related to blighted and abandoned property. Additionally, counties are empowered, if they choose, to establish a housing court to hear and decide matters arising under the legislation and other laws concerning real property issues.

The bill will take effect in 180 days.

ANALYSIS:

The additional powers given to municipalities will not impose any additional costs upon municipalities. A municipality which chooses to exercise the powers under the bill by proceeding against the owner of a blighted property may incur additional cost. However, the municipality can recover its costs through fines and penalties and, under the bill, may place a lien on the real property of the owner. This ability should help defray the cost of actions for municipalities.

The bill stipulates that the Administrative Office of Pennsylvania Courts **may** begin training programs concerning blighted property. The cost of this training will depend on whether AOPC chooses to implement the training. In addition, the president judge of a county may, upon request or approval of a resolution by the county commissioners, establish a housing court. Establishment of this court is not required of the counties. It is assumed that a county who chooses to establish the court will do so if it is in the county's best interest and if the county has sufficient resources.

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