



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2224

PRINTERS NO. 3495

PRIME SPONSOR: Cutler

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
Political Subdivision Funds	\$0	\$0

SUMMARY: Amends the Donated and Dedicated Property Act regarding reconveyance of land or building use and Orphans' Court approval. This legislation would take effect immediately.

ANALYSIS: This legislation would amend Section 6 of the Donated and Dedicated Property Act (DDPA) to provide that Orphans' Court approval does not apply to land or buildings purchased by a political subdivision if:

- (1) the instrument conveying title to the political subdivision is unencumbered by a recorded restriction or covenant requiring that the lands, buildings or public facilities be used for a public use; or
- (2) any restriction or covenant that is recorded at the time of purchase or subsequent to the purchase that provides that the lands, buildings or public facilities be used for public use is released or removed as permitted by statute.

This legislation reaffirms the exception for lands, buildings, or public facilities acquired by condemnation. Also provides that lands, buildings or public facilities that are acquired by a political subdivision that are exempt under Section 6, and whether dedicated to public use or not, shall not be deemed to be held by the political subdivision in trust for the benefit of the public and may be conveyed, sold, alienated or disposed of as permitted by statute or, in case of condemnation, the Eminent Domain Code. The bill clarifies that purchase shall include any transaction in which monetary consideration in any amount was paid by the political subdivision.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth or political subdivision funds. The legislation would provide political subdivisions the opportunity to generate revenue by selling under-utilized assets that were purchased for a purpose that no longer makes sense.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: May 22, 2012

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.