



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

SENATE BILL NO. 775

PRINTERS NO. 834

PRIME SPONSOR: Eichelberger

### COST / (SAVINGS)

FUND	FY 2015/16	FY 2016/17
Third Class City Funds	\$0	\$0

**SUMMARY:** Consolidates the Third Class City Code into Title 11 of the PA Consolidated Statutes and repeals the freestanding Act 317 of 1931. This legislation would take effect in 60 days.

**ANALYSIS:** This legislation incorporates Act 22 of 2014, the reenactment and amendment of the Third Class City Code (Act 317 of 1931) into Title 11 of the PA Consolidated Statutes, Pt. V (Third Class Cities). Act 317 of 1931 is then subsequently repealed.

With the exception of the sections noted below, the legislation provides that it is to be construed as substantively identical to the freestanding Third Class City Code. Any other difference in language is intended only to conform to the style of the PA Consolidated Statutes and is not intended to change or affect the legislative intent, judicial construction or administration and implementation of the Third Class City Code.

- 11 Pa.C.S. § 11018.11(e): This subsection is modified to correct an erroneous reference to a date. Although this change is substantive, it does not change the legal effect of the subsection.
- 11 Pa.C.S. § 11401(6): This amendment adds, as a qualification for the office of city treasurer, that the elected individual be, or become, certified as a “qualified tax collector” in accordance with the Local Tax Collection Law (Act 394 of 1945). Subsequent to the enactment of Act 22, Act 164 of 2014 required all tax collectors, as a qualification for office, to undergo basic training and continuing education in accordance with the Act. City treasurers are officials subject to the mandatory qualification.
- 11 Pa.C.S. § 11402(b)(2): This modification removes an erroneous reference to indemnification of a county in the context of the requirements of city treasurer bonds.
-

- 11 Pa.C.S. § 11813(b): This modification removes an archaic date relating back to the enactment of the provision for purposes of appointing members of a uniform financial reporting forms committee. Instead, the new language requires that the members “shall be appointed by the president of the PA Municipal League within 60 days of notification by the Secretary of the Department of Community and Economic Development or the secretary’s agent or designee that the committee will convene.”
- 11 Pa.C.S. §12448: This new section will place within the Third Class City Code the same amendment recommended by the Local Government Commission in the 2015 session for townships of the first and second classes and boroughs. It expressly authorizes, as a specific municipal power, cities to appropriate up to \$100 for tangible gifts in memory or appreciation of city officers, employees, or volunteers.
- 11 Pa.C.S. § 14406(11)(ii): This modification removes a misplaced reference to city council in the context of removing a name from a civil service list.
- 11 Pa.C.S. § 144A11(d): This modification replaces a reference to the city controller with the independent auditor for purposes of auditing funds relating to national guard appropriations. This was necessary to be consistent with the change within Act 22 which vested the independent auditor with the duty to audit city funds.

**FISCAL IMPACT:** This legislation would have no adverse fiscal impact on Commonwealth or third class city funds.

**PREPARED BY:** Tim Rodrigo  
House Appropriations Committee (R)

**DATE:** November 9, 2015

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