



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1232

PRINTER'S NO. 1323

PRIME SPONSOR: James

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	\$0	\$0

SUMMARY:

House Bill 1232 amends Title 8 (Boroughs and Incorporated Towns) Sections 1059.3 (a)(2), 1141, 1142, 1143, 1174 (a), and 1307 to provide good-faith protections to borough officials for their decision making and increases options for borough management services.

ANALYSIS:

This bill amends Section 1059.3 (a)(2) to add language providing that no elected or appointed official of a borough may be surcharged if the official acted in good faith reliance on a written, nonconfidential opinion of the solicitor of the borough. This protection is extended if the opinion of the borough solicitor was publicly stated at an open meeting of the borough and recorded in the official meeting minutes. This protection shall not apply if a solicitor's opinion was rendered under duress or if the parties seeking and rendering the solicitor's opinion colluded to purposefully violate the law.

This bill amends Sections 1141 through 1143 to add language allowing a partnership, limited partnership, association, or professional corporation to serve as borough manager if elected by borough council. It also allows for professional services agreements with partnerships, limited partnerships, associations, or professional corporations and outlines that each officer and employee directly providing services as required by the agreement with a partnership, limited partnership, association, or professional corporation shall be considered a public official for purposes of the provisions of 65 Pa.C.S. §1103 (relating to restricted activities).

This bill amends Section 1174 to outline that a borough's civil service commission shall meet and organize within 30 days of the first Monday of each even-numbered year.

This bill amends Section 1307 by removing a requirement that a proposed budget be prepared beginning at least 30 days prior to the adoption of a budget.

This bill would take effect in 60 days.

FISCAL IMPACT:

The enactment of this bill would have no impact on Commonwealth funds.

PREPARED BY: Chris Fetterman

House Appropriations Committee (D)

DATE: October 2, 2023

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