

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 2224

PRINTER'S NO. 3495

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

February 9, 2012

PRIME SPONSOR

Representative Cutler

HISTORY OF BILL

Referred to LOCAL GOVERNMENT, Feb. 29, 2012

Reported as amended, May 8, 2012

First consideration, May 8, 2012

Laid on the table, May 8, 2012

Removed from table, May 9, 2012

Second consideration, May 22, 2012

Re-committed to APPROPRIATIONS, May 22, 2012

Re-reported as committed, May 23, 2012

Third consideration and final passage, May 23, 2012 (197-0)
In the Senate

Referred to LOCAL GOVERNMENT, June 7, 2012

Reported as committed, June 19, 2012

First consideration, June 19, 2012

Second consideration, June 29, 2012

Re-referred to APPROPRIATIONS, June 29, 2012

Re-reported as committed, Sept. 25, 2012

DESCRIPTION AND PURPOSE OF BILL

House Bill 2224 amends section 6 of the Donated and Dedicated Property Act (Act 670 of 1959) by providing that lands, buildings or public facilities acquired by a political subdivision through purchase or condemnation may be conveyed, sold, alienated or disposed of without the approval of the Orphans' Court in the county in which the property is located.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

Orphans' Court approval does not apply under the following circumstances:

1. The instrument of conveyance transferring title to the political subdivision is unencumbered by a restriction or covenant prescribing the lands, buildings or public facilities for public use; or
2. A restriction or covenant prescribing the lands, buildings or public facilities for public use is released or removed as permitted by statute.

The legislation specifies that the act shall not apply to lands, buildings or public facilities acquired by a political subdivision through condemnation. Further, it provides that land, buildings or public facilities acquired by a political subdivision through purchase or condemnation, which are exempt under provisions of section 6, 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 the case of condemnation, the Eminent Domain Code (26 Pa.C.S.).

As used in section 6, purchase shall include any transaction in which monetary consideration in any amount was paid by the political subdivision.

The Act shall take effect immediately.

FISCAL IMPACT:

The legislation will have no adverse fiscal impact on Commonwealth or political subdivision funds. The legislation provides political subdivisions with the ability to generate revenue by selling property that is impracticable or impossible to maintain or has ceased to serve the public interest.

The impact to local funds cannot be quantified because the number of political subdivisions and value of any property affected by the legislation are unknown at this time.