

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 515

PRINTER'S NO. 1946

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

February 5, 2013

PRIME SPONSOR

Representative Stevenson

HISTORY OF BILL

- Referred to LOCAL GOVERNMENT, Feb. 5, 2013
- Reported as amended, April 10, 2013
- First consideration, April 10, 2013
- Laid on the table, April 10, 2013
- Removed from table, April 15, 2013
- Second consideration, April 16, 2013
- Re-committed to APPROPRIATIONS, April 16, 2013
- Re-reported as committed, April 17, 2013
- Third consideration and final passage, April 17, 2013 (190-0)
In the Senate
- Referred to LOCAL GOVERNMENT, April 24, 2013
- Reported as amended, June 5, 2013
- First consideration, June 5, 2013
- Re-referred to APPROPRIATIONS, June 20, 2013
- Re-reported as committed, June 25, 2013

DESCRIPTION AND PURPOSE OF BILL

House Bill 515 amends the Pennsylvania Municipalities Planning Code Code (Act 247 of 1968, or "MPC") with regard to notices required in advance of public hearings.

The legislation provides definitions for "electronic notice" and "mailed notice". An owner of a tract or parcel of land located within a municipality, or the owner of the mineral rights of a tract or parcel of land within a municipality, may request that the municipality provide written or electronic notice of a public hearing which may affect such tract or parcel of land. The notices are required only if the owner has made a written request that the notice either be sent electronically or mailed, and the owner must provide needed information such as an electronic or mailing address and a stamped, self-addressed envelope prior to the public hearing.

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House Bill 515 requires a municipality to mail the notice or provide electronic notice not more than 30 days and not less than seven days prior to the scheduled date of the hearing as shown on the notice. For each public hearing, the municipal secretary or zoning officer shall prepare, sign, and maintain a list of all mailed notices, mailing dates, electronic notices, and electronic notice dates. The mailed notice shall be deemed received by an owner on the date deposited in the United States mail. The electronic notice shall be deemed received by an owner on the date the municipality electronically notifies the owner.

Failure of an owner to receive a requested notice shall not be deemed to invalidate any actions or proceedings under the MPC.

The legislation amends sections 608 and 609 of the MPC regarding the enactment of zoning ordinances and amendments to require specifically that an electronic or mailed notice be sent to an owner who has made a timely request before voting on the enactment of a zoning ordinance or amendment. If a proposed amendment is changed substantially or revised to include land previously not affected by it, the governing body shall hold another public hearing pursuant to public notice, mailed notice and electronic notice, before proceeding to vote on the amendment.

Provisions regarding electronic notice or mailed notice apply only to sections of the MPC governing the adoption and amendment of zoning ordinances.

The act shall take effect in 60 days.

FISCAL IMPACT:

House Bill 515 will have no adverse impact on Commonwealth or municipal funds.