

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 1052

PRINTER'S NO. 3691

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 25, 2013

PRIME SPONSOR

Representative Freeman

DESCRIPTION AND PURPOSE OF BILL

House Bill 1052 amends Article V (Subdivision and Land Development) of the Pennsylvania Municipalities Planning Code ("MPC") to permit recreational impact fees to be used for acquiring, operating or maintaining park or recreational facilities and to authorize utilization of the fees for recreational facilities found anywhere in the municipality.

House Bill 1052 amends section 503 of the MPC to provide that subdivision and land development ordinances may, in addition to providing for park or recreational facilities, acquire, operate or maintain such facilities. Clarification is provided that the park or recreational facilities must be reasonably accessible to the development.

The legislation removes the requirement that impact fees deposited into an interest-bearing account must clearly identify the specific recreational facilities for which the fee was received. Currently, the fees placed into the interest-bearing account need only be identified as reserved for providing, operating or maintaining park or recreational facilities. House Bill 1052 also removes the requirement that funds in the account only be expended in proportion to the construction cost incurred for the specific recreation facilities for which the funds were collected.

The legislation provides for a refund of the fee upon request from any person who paid any fee if the municipality used the fee paid for a purpose other than the purposes set forth in section 503.

House Bill 1052 removes the three year waiting period from the date such fee was paid before any person who paid any fee could request a refund.

The legislation will take effect in 60 days.

FISCAL IMPACT:

House Bill 1052 will have no adverse fiscal impact on Commonwealth or local funds.