

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 372

PRINTER NO. 453

AMOUNT

No Fiscal Impact

FUND

General Fund
Historical Preservation Fund

DATE INTRODUCED

March 1, 2019

PRIME SPONSOR

Senator Scavello

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 372 amends Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes to modernize the History Code with regard to the administration of the State Archives, archival records and other matters as follows:

- Removes a provision requiring the Historical and Museum Commission (HMC) to make an annual report on the Conservation Center, which it no longer operates.
- Removes provisions requiring the HMC to notify donors or their predecessors when disposing of non-beneficial items.
- Provides for the sale or disposal of abandoned property on loan to the HMC.
- Provides for the HMC to administer the State Archives and for the State Archives to be the official repository for permanent and historically valuable public records of the Commonwealth.
- Provides for the HMC to maintain and preserve state and local government records.
- Prohibits the sale or transfer of Commonwealth archival records unless authorized by law and provides for a civil penalty of not more than \$2,500 for violating this provision.
- Provides procedures by which the HMC may retrieve Commonwealth and local archival records held by unauthorized persons.
- Provides access to archival records 75 years or older, unless specifically prohibited by law.
- Allows for the HMC to lease residential property and increases the maximum term by which the HMC may enter into a lease from five (5) years to 25 years.
- Removes the following properties which have been transferred or sold to other entities from the law: Cashiers House; David Bradford House; Fort Augusta; Fort Le Boeuf Museum; Governor Printz Park; John Brown House; Judson House; McCoy House; Nathan Denison House; Old Brown's Mill School; Old Custom House; Old Mill Village; Pottsgrove Mansion; Robert Fulton Birthplace; Sodom School House; Tuscarora Academy and Washington Crossing.

The legislation is scheduled to take effect in 60 days.

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FISCAL IMPACT:

The Historical and Museum Commission believes the enactment of Senate Bill 372 will have no adverse fiscal impact on Commonwealth Funds.

Funds from the sale of items that do not contribute to HMC's mission including abandoned property that is ultimately deaccessioned would be deposited in the Historical Preservation Fund for use by the HMC for collection acquisition and conservation purposes.

Further, the HMC has indicated that it has not valued its non-contributing items or abandoned property. Its policy is to deaccession items when it reviews specific collections for relevancy, and it makes every effort to place items of significance that are being deaccessioned at institutions that are able to utilize the items at no cost rather than sell them at auction. Therefore, it is unlikely that the provisions contained in the legislation will generate substantial revenue to support collection acquisition or conservation purposes.

Based on the three most recent auctions that have been held to deaccession artifacts which occurred on December 5, 2013 (\$22,618), July 30, 2015 (\$64,980) and October 16, 2017 (\$14,895), a total of \$102,493 in revenue was generated for collection acquisition and conservation purposes.