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Act 74 of 2021

HB 1591 (Printer's No. 2139) Analysis **Date: September 21, 2021**

**Amending the County Code to prevent automatic changes in county classification
following the latest census**

Prime Sponsor: Representative Knowles

A. Synopsis of Bill

This bill would cause every county to maintain its current classification regardless of population changes reflected in the 2020 census unless a county specifically chooses to change its classification.

B. Summary and Analysis of Bill

The Senate Local Government Committee added a technical clarifying amendment.

The provisions of this bill would suspend the provisions of the County Code that would cause a county to increase or decrease in class as a result of population changes reflected in the 2020 census until the 2030 census. After the 2030 census, a county may advance in classification based on its population in 2030 or decrease in classification if its population declined below the population threshold of its current class in both the 2020 census and the 2030 census.

However, under this proposal, a County may choose to advance in classification or decrease in classification if it meets the population thresholds that would otherwise apply and the Commissioners of the county enact an ordinance or resolution evidencing the County's intent to do so.

C. Relevant Current Law

After each census, a county's population determines whether the county will advance in classification, or upon a sustained decrease in population over the course of two census cycles, decrease in classification according to the classification criteria in the County Code.

D. Background of Bill

The COVID-19 pandemic and the related delays in the release of Census data may increase the administrative challenges for counties that would experience a change of classification as well as a more limited period of time to prepare for a change in classification following the release of the 2020 Census. After consulting with County officials throughout the Commonwealth, it became apparent that County officials would prefer to make any change of classification that would take effect in 2021 optional.

E. Effect of Bill

The impacts of this bill are largely administrative. With some exception, county classification may impact the organization of a county's government, particularly as it relates to the row officers which are elected on a countywide basis. Unless a county chooses to change its classification, the row offices it maintains now would remain for the next ten years.

F. Issues, Policy Questions and Stakeholder Feedback

The County Commissioners Association of Pennsylvania (CCAP) supports, and assisted in the development of, this legislation.

G. Bill History

None.