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HB 1234 (Printer's No. 1325) Analysis

Date: May 24, 2023

Amending Title 11 of the Pennsylvania Consolidated Statutes (Third Class City Code)—Modernizing provisions related to city managers

Prime Sponsor: Representative Freeman

A. Synopsis of Bill

Makes a change to the Third Class City Code in a manner consistent with a recent revision to the First Class Township Code as comprehensively updated by Act 96 of 2020.

B. Summary and Analysis of Bill

The legislation amends Title 11 of the Pennsylvania Consolidated Statutes, specifically the Third Class City Code in the following manner:

Sections 112A02-112A05 (City Administrator, Generally)--Authorizing a third class city to appoint a partnership, limited partnership, association or professional corporation as the city administrator/manager.

Section 11802 (Powers and duties of chief fiscal officer)--Specifying that only a city administrator/manager who is an individual may also serve as the city chief fiscal officer.

C. Relevant Current Law

Currently Article 112A of the Third Class City Code permits only an individual to be appointed and employed as the city administrator/manager, and Section 11802 permits a city to appoint the administrator/manager to be appointed as the chief fiscal officer.

D. Background of Bill

The Pennsylvania State Association of Boroughs (PSAB) formally requested the Local Government Commission to introduce legislation to modernize provisions of the Borough Code in a manner consistent with recent changes to the revised First Class Township Code.

After discussions with the Pennsylvania Municipal League, one of the aforementioned amendments, specifically one related to the manager, was deemed appropriate for the Third Class City Code.

E. Effect of Bill

Provides further consistency among municipal classifications for procedural issues.
Offers greater autonomy for a third class city to receive management services.

F. Issues, Policy Questions and Stakeholder Feedback

The Pennsylvania Municipal League supports this legislation.

G. Bill History

In the 2021-2022 Session, this bill was introduced as House Bill 1367. House Bill 1367 was tabled on first consideration in the House where it remained upon sine die adjournment. This legislation was also introduced in the Senate during the 2021-2022 session as Senate Bill 674. Senate Bill 674 passed the Senate unanimously and was referred to the House Local Government Committee where it remained upon sine die adjournment.