

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, OCTOBER 24, 2022

SESSION OF 2022 206TH OF THE GENERAL ASSEMBLY

No. 41

SENATE

MONDAY, October 24, 2022

The Senate met at 1 p.m., Eastern Daylight Saving Time.

The PRESIDENT pro tempore (Senator Jacob D. Corman III) in the Chair.

PRAYER

The Chaplain, Reverend JAMES J. GREENFIELD, President of DeSales University, Center Valley, offered the following prayer:

Let us pray.

God of love, here in this Senate Chamber we invoke Your blessing and assistance to work together for the common good of the great State of Pennsylvania. Guide us toward the light of truth and wisdom on this day of Diwali. In a world where plenty is possible, let us end hunger, thirst, and homelessness. In Your nurturing hands let us seek refuge from fear and violence. Expand our hearts to treasure all that is good; give us souls that do not frighten easily at the sight of evil; give us minds that know not boredom, size, and laments; and, Lord, give us a good sense of humor and allow us the grace to be able to take a joke, to discover in life a bit of joy, and share it with others. Mostly, disturb us, Lord, when we are too well-pleased with ourselves; when our dreams have come true because we have dreamed too little. Help us to always know the deep truth that we are called to be light and goodness to our world. We pray in Your merciful name. Amen.

The PRESIDENT pro tempore. The Chair thanks Reverend Greenfield, who is the guest today of Senator Browne.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled.)

COMMUNICATIONS FROM THE GOVERNOR

CORRECTIONS TO NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT pro tempore laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE STATE CIVIL SERVICE COMMISSION

October 24, 2022

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

Please note that the letter dated October 14, 2022, for the nomination of Pam Iovino, 1839 Green Street, Apt. 307, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Civil Service Commission, to serve until April 9, 2028, vice Bryan Lentz, Swarthmore, whose term expired, should be corrected to read:

Pam Iovino, 1839 Green Street, Apt. 307, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Civil Service Commission, to serve until April 9, 2028, and until the successor is appointed and qualified, vice Bryan Lentz, Swarthmore, whose term expired.

MEMBER OF THE STATE CONSERVATION COMMISSION

October 24, 2022

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

Please note that the letter dated October 6, 2022, for the nomination of Daryl Miller, 9557 Wyalusing New Albany Road, P.O. Box 234, Wyalusing 18853, Bradford County, Twenty-third Senatorial District, for appointment as a member of the State Conservation Commission, to serve until May 30, 2026, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice MaryAnn Warren, New Milford, whose term expired, should be corrected to read:

Daryl Miller, 9557 Wyalusing New Albany Road, P.O. Box 243, Wyalusing 18853, Bradford County, Twenty-third Senatorial District, for appointment as a member of the State Conservation Commission, to serve until May 30, 2026, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice MaryAnn Warren, New Milford, whose term expired.

MEMBER OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

October 24, 2022

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

Please note that the letter dated October 14, 2022, for the nomination of Rudolph P. Vulakovich, 109 Morewood Road, Glenshaw 15116, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Pennsylvania Liquor Control Board, to serve until May 19, 2026, and until the successor is appointed and qualified, vice Michael Negra, Centre Hall, whose term expired, should be corrected to read:

Rudolph P. Vulakovich, 109 Morewood Road, Glenshaw 15116, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Pennsylvania Liquor Control Board, to serve until May 19, 2026, and until the successor is appointed and qualified, but not longer than six months beyond that period, vice Michael Negra, Centre Hall, whose term expired.

GENERAL COMMUNICATION**CERTIFICATION OF PROPOSED
CONSTITUTIONAL AMENDMENT**

The PRESIDENT pro tempore laid before the senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
Secretary of the Commonwealth
302 North Office Building
401 North Street
Harrisburg, PA 17120-0500

October 20, 2022

The Honorable Megan Martin
Secretary and Parliamentarian
Pennsylvania State Senate
462 Main Capitol Building
Harrisburg, PA 17120

Ms. Martin:

As required by Section 801(b)(2) of the Administrative Code of 1929, as amended, 71 P.S. § 271(b)(2), enclosed herewith is my certification that publication of the proposed constitutional amendments in Joint Resolution 2021-2 (formerly House Bill 14) and Joint Resolution 2022-1 (formerly Senate Bill 106) has been completed in compliance with Section 1 of Article XI of the Constitution of Pennsylvania. I have also submitted my certification to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

The proposed amendments were published in newspapers across the Commonwealth in each of the three months preceding the 2022 General Election on November 8, 2022. Publication occurred on a date within the date ranges below, dependent on the publication schedule of each newspaper:

- August 2-7, 2022;
- September 1-7, 2022; and
- October 1-7, 2022.

As a courtesy, enclosed is a list of all the newspapers with the publication dates for each newspaper.

If you have any questions, please do not hesitate to reach out to Mike Chmielewski, Director of Legislative Affairs at 717-346-4392.

Thank you,

LEIGH M. CHAPMAN
Acting Secretary of the
Commonwealth

This report will be filed in the Office of the Secretary.

BILLS INTRODUCED AND REFERRED

The PRESIDENT pro tempore laid before the Senate the following Senate Bills numbered, entitled, and referred as follows, which were read by the Clerk:

October 24, 2022

Senators HAYWOOD, COMITTA, COSTA, GORDNER, BREWSTER, FONTANA, SCHWANK, TARTAGLIONE and MUTH presented to the Chair **SB 1353**, entitled:

An Act amending the act of December 21, 1989 (P.L.672, No.87), known as the Health Club Act, further providing for employee available to administer CPR and providing for automated external defibrillator.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 24, 2022.

Senators BOSCOLA, FONTANA, DILLON, COSTA and KEARNEY presented to the Chair **SB 1354**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, establishing the Snow and Ice Removal Safety Grant Program and the Snow and Ice Removal Safety Grant Program Account; and making an appropriation.

Which was committed to the Committee on TRANSPORTATION, October 24, 2022.

Senators KANE, FONTANA, COMITTA, CAPPELLETTI, COSTA, COLLETT, TARTAGLIONE, MUTH, DILLON, SCHWANK, BREWSTER, HAYWOOD and STREET presented to the Chair **SB 1359**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in district election officers, further providing for oath of judge of election, for oaths of inspectors of election, for oaths of clerks of election and for oath of machine inspectors.

Which was committed to the Committee on STATE GOVERNMENT, October 24, 2022.

Senators DiSANTO, LAUGHLIN and MENSCH presented to the Chair **SB 1360**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for purposes and powers.

Which was committed to the Committee on LOCAL GOVERNMENT, October 24, 2022.

RESOLUTIONS INTRODUCED AND REFERRED

The PRESIDENT pro tempore laid before the Senate the following Senate Resolutions numbered, entitled, and referred as follows, which were read by the Clerk:

October 20, 2022

Senators MENSCH STREET, DILLON, COLLETT, BARTOLOTTA, COMITTA and SANTARSIERO presented to the Chair **SR 374**, entitled:

A Resolution recognizing the month of November 2022 as "National American Indian Heritage Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 20, 2022.

October 21, 2022

Senators STEFANO, ROBINSON, ARGALL, BARTOLOTTA, BREWSTER, BROOKS, BROWNE, CAPPELLETTI, COSTA, GEBHARD, GORDNER, HAYWOOD, HUGHES, HUTCHINSON, KANE, LANGERHOLC, LAUGHLIN, MARTIN, MENSCH, MUTH, PHILLIPS-HILL, SANTARSIERO, SCHWANK, TARTAGLIONE, VOGEL, STREET and DUSH presented to the Chair **SR 369**, entitled:

A Resolution designating December 7, 2022, as "Pearl Harbor Remembrance Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 21, 2022.

Senators CAPPELLETTI, BOSCOLA, HAYWOOD, HUGHES, BARTOLOTTA, KEARNEY, BROWNE, PHILLIPS-HILL, FONTANA, MARTIN, COMITTA, KANE, DILLON, COLLETT, COSTA, L. WILLIAMS, STREET, BREWSTER, SCHWANK, MUTH, SANTARSIERO, TARTAGLIONE, STEFANO and HUTCHINSON presented to the Chair **SR 370**, entitled:

A Resolution recognizing the month of October 2022 as "Pregnancy and Infant Loss Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 21, 2022.

Senators COSTA, FLYNN, HAYWOOD, BARTOLOTTA, HUGHES, TARTAGLIONE, COLLETT, FONTANA, PHILLIPS-HILL, DiSANTO, STREET, BREWSTER, K. WARD, BROWNE, SCAVELLO, ARGALL, VOGEL, MUTH, COMITTA, HUTCHINSON, CAPPELLETTI, KANE, GORDNER, ROBINSON and DUSH presented to the Chair **SR 371**, entitled:

A Resolution honoring the life and achievements of former State Representative Tony DeLuca.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 21, 2022.

Senators COSTA, HAYWOOD, HUGHES, TARTAGLIONE, COLLETT, FONTANA, STREET, BREWSTER, K. WARD, BROWNE, SCAVELLO, ARGALL, VOGEL, MUTH, HUTCHINSON, CAPPELLETTI, KANE, ROBINSON and DUSH presented to the Chair **SR 372**, entitled:

A Resolution honoring the life and achievements of former State Senator Jim Ferlo.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 21, 2022.

Senators KANE, FONTANA, COLLETT, HAYWOOD, BARTOLOTTA, COMITTA, BROWNE, TARTAGLIONE, BREWSTER, COSTA STREET, DUSH and STEFANO presented to the Chair **SR 373**, entitled:

A Resolution designating the month of November 2022 as "Good Samaritan Law Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 21, 2022.

Senators MARTIN, LANGERHOLC, MENSCH, BARTOLOTTA, HUGHES, PHILLIPS-HILL, VOGEL, STEFANO, COSTA, BREWSTER, SCHWANK, HAYWOOD, COMITTA, TARTAGLIONE, KANE, COLLETT, CAPPELLETTI and DUSH presented to the Chair **SR 375**, entitled:

A Resolution recognizing the week of November 14 through 20, 2022, as "National Apprenticeship Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 21, 2022.

Senators BARTOLOTTA, LANGERHOLC, HUGHES, COSTA, BROWNE, HAYWOOD, KANE, COLLETT, MENSCH, CAPPELLETTI, BREWSTER, TARTAGLIONE, STEFANO, SCAVELLO and HUTCHINSON presented to the Chair **SR 376**, entitled:

A Concurrent Resolution recognizing the week of November 13 through 19, 2022, as "Nurse Practitioner Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 21, 2022.

Senators ROBINSON, COSTA, BROOKS, ARGALL, HAYWOOD, SCHWANK, BARTOLOTTA, LAUGHLIN, HUGHES, MARTIN, BROWNE, MENSCH, PHILLIPS-HILL, SCAVELLO, HUTCHINSON, COMITTA, VOGEL, STEFANO, DUSH, MASTRIANO, BREWSTER, MUTH, KANE and TARTAGLIONE presented to the Chair **SR 377**, entitled:

A Resolution recognizing December 17, 2022, as "Wreaths Across America Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 21, 2022.

October 24, 2022

Senator STEFANO presented to the Chair **SR 365**, entitled:

A Resolution designating the day before Thanksgiving, the Sunday after Christmas and New Year's Day, at 6 p.m., a time to ring bells throughout this Commonwealth for five minutes as a sign of thanks, praise and unity.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 24, 2022.

Senators TARTAGLIONE, K. WARD, BROOKS, BARTOLOTTA, BOSCOLA, DILLON, MENSCH, BREWSTER, GEBHARD, FONTANA, LAUGHLIN, MUTH, COLLETT, PHILLIPS-HILL, HAYWOOD, MARTIN, HUGHES, VOGEL, CAPPELLETTI, SANTARSIERO, ROBINSON, SCAVELLO, KANE, BROWNE, CORMAN, COSTA, STREET, HUTCHINSON and STEFANO presented to the Chair **SR 366**, entitled:

A Resolution recognizing the month of October 2022 as "National Breast Cancer Awareness Month" in Pennsylvania and October 21, 2022, as "National Mammography Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 24, 2022.

Senators TARTAGLIONE, HAYWOOD, CAPPELLETTI, BROWNE, HUGHES, ARGALL, MARTIN, COMITTA, FLYNN, DILLON, COSTA, BREWSTER, SCHWANK, STEFANO, KANE, STREET and HUTCHINSON presented to the Chair **SR 367**, entitled:

A Resolution recognizing the month of October 2022 as "National Physical Therapy Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 24, 2022.

Senators TARTAGLIONE, CAPPELLETTI, KEARNEY, BROWNE, PHILLIPS-HILL, FONTANA, HUGHES, MARTIN, COMITTA, DILLON, COSTA, BREWSTER, SCHWANK, STEFANO, MUTH and KANE presented to the Chair **SR 368**, entitled:

A Resolution recognizing the month of October 2022 as "National Sensory Processing Disorder Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 24, 2022.

Senators MUTH, HAYWOOD, HUGHES, BROWNE, STREET, FONTANA, BREWSTER, COSTA, CAPPELLETTI and STEFANO presented to the Chair **SR 378**, entitled:

A Resolution designating the month of October 2022 as "Dyslexia Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 24, 2022.

APPOINTMENTS BY THE MINORITY LEADER

The PRESIDENT pro tempore. The Chair wishes to announce the Minority Leader has made the following appointments:

Mr. Marc Mondor as a member of the Climate Change Advisory Committee.

Mr. Howard Wein, Esq., as a member of the Environmental Hearing Board Rules Committee.

BILLS SIGNED

The PRESIDENT pro tempore (Senator Jacob D. Corman III) in the presence of the Senate signed the following bills:

HB 1571, HB 1823 and HB 2667.

BILLS REPORTED FROM COMMITTEES

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following bill:

HB 1328 (Pr. No. 2641)

An Act amending the act of May 26, 1947 (P.L.318, No.140), known as the CPA Law, further providing for general powers of the board, for requirements for issuance of certificate, for peer review and for unlawful acts.

Senator LANGERHOLC, from the Committee on Transportation, reported the following bill:

HB 1307 (Pr. No. 3584) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for vehicles exempt from registration; and, in snowmobiles and all-terrain vehicles, providing for regional ATV pilot program for department lands.

LEGISLATIVE LEAVES

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I request a temporary Capitol leave for Senator Mastriano, and a legislative leave for Senator Brooks.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I request a legislative leave for Senator Anthony Williams.

The PRESIDENT pro tempore. Senator Gordner requests a temporary Capitol leave for Senator Mastriano, and a legislative leave for Senator Brooks.

Senator Costa requests a legislative leave for Senator Anthony Williams.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

Senator COSTA asked and obtained a leave of absence for Senator SAVAL, for today's Session, for personal reasons.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator GORDNER offered the following resolution, which was read as follows:

In the Senate, October 24, 2022

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Tuesday, November 15, 2022, unless sooner recalled by the President pro tempore; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene the week of Monday, November 14, 2022, unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Senator GORDNER and were as follows, viz:

YEA-49

Argall	Dillon	Langerholc	Schwank
Aument	DiSanto	Laughlin	Stefano
Baker	Dush	Martin	Street
Bartolotta	Flynn	Mastriano	Tartaglione
Boscola	Fontana	Mensch	Tomlinson
Brewster	Gebhard	Muth	Vogel
Brooks	Gordner	Phillips-Hill	Ward, Judy
Browne	Haywood	Pittman	Ward, Kim
Cappelletti	Hughes	Regan	Williams, Anthony H.
Collett	Hutchinson	Robinson	Williams, Lindsey
Comitta	Kane	Santarsiero	Yaw
Corman	Kearney	Scavello	Yudichak
Costa			

NAY-0

A majority of the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present the same to the House of Representatives for concurrence.

GUESTS OF THE PRESIDENT PRO TEMPORE PRESENTED TO THE SENATE

The PRESIDENT pro tempore. For the purpose of introducing some guests, let me begin by introducing my predecessor as the President pro tempore of the Senate, the Honorable Joe Scarnati. (Applause.)

And also with us is the Majority Leader of the House of Representatives, Representative Kerry Benninghoff. (Applause.)

GUESTS OF SENATOR RYAN P. AUMENT PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lancaster, Senator Aument.

Senator AUMENT. Mr. President, it is a pleasure to introduce my guests for the day from the Bollman Hat Company: Don Rongione, president, and Ryann McDevitt, executive assistant to the president. They are joined by Bruce Newell, the chief executive officer of MANTEC; Kent Keller, an advisor representing Bollman; and Rod King, marketing manager at MANTEC.

Bollman was founded in Adamstown, Lancaster County, Pennsylvania, in 1868; and Bollman Hat Company has been serving the community for 153 years, making it the oldest hatmaker in the country. I take great pride in having the opportunity to recognize a business which has stood the test of time and continues to offer high-quality products to the citizens of Pennsylvania and throughout the United States. Bollman is an employee-owned company, with 15 current employees having served the company for more than 40 years. Through providing jobs in our community for more than 15 decades, I thank Bollman for their commitment to keeping Pennsylvanians employed through recessions, wars, and pandemics.

Despite such a long history, Bollman is to be applauded for its dedication to maintaining recognizable, quality products, while maintaining a tradition of excellence and service toward its customers and the community in which they reside. It is an honor to have such an exemplary and historic company in the 36th Senatorial District. Please join me in welcoming my guests for the day, the Bollman Hat Company, to the Pennsylvania State Senate.

The PRESIDENT pro tempore. Will the guests of Senator Aument please rise so the Senate may give you our usual warm welcome.

(Applause.)

GUESTS OF SENATOR MARIO M. SCAVELLO PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Monroe, Senator Scavello.

Senator SCAVELLO. Mr. President, it is my honor to introduce a group of homeschoolers from the Poconos, and I had them around the building today, just unbelievable the breadth of knowledge that they have on history. But it is my pleasure, and they are in the balcony, and hope that the Members here will applaud them and wish them well here in the Capitol.

The PRESIDENT pro tempore. Will the guests of Senator Scavello please rise so the Senate may give you our usual warm welcome.

(Applause.)

GUESTS OF SENATOR JUDY WARD PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Blair, Senator Judy Ward.

Senator J. WARD. Mr. President, today I rise to recognize the Hollidaysburg Little League team from my hometown. Throughout the month of August, this amazing group of young baseball players captured the imagination of sports fans across the Commonwealth and the nation with their winning spirit and resilience. After capturing the Mid-Atlantic Regional Championship, the Hollidaysburg Little League team advanced to within one game of the United States final at the Little League World Series in Williamsport. The team completed tournament play as one of the top eight teams in the world. This remarkable achievement is a source of inspiration to Pennsylvanians across all generations. Combining talent, poise, and determination, the players demonstrated that if you are committed to maximizing your potential, the fulfillment of dreams is possible.

The Hollidaysburg Little League team members represented their community with class and embraced new experiences with joy and excitement. Their flair for the dramatic and exciting style of play were routinely praised by commentators on national television. And by the way, I have to say the Slinkys they handed out were a very nice touch. They are made in Hollidaysburg, and I heard commentators on the TV talking about their Slinkys and trying to sing the Slinky song. On behalf of my constituents throughout the 30th Senatorial District, I express heartfelt congratulations to all players, coaches, and parents, and offer special thanks to you for helping to make this a summer to remember for all Pennsylvanians. Your historic season created a legacy of achievement that will be remembered for years to come by all Pennsylvanians. I want to thank them and wish them all the best in the future. Please give them a warm Senate welcome.

The PRESIDENT pro tempore. Would the guests of Senator Judy Ward please rise so the Senate can give you our usual warm welcome.

(Applause.)

GUESTS OF SENATOR JIMMY DILLON PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Philadelphia, Senator Dillon.

Senator DILLON. Mr. President, today I rise to recognize a special group of girls from the Fifth Senatorial District--in a time when it is great to be from Philadelphia right now, with our future World Series Philadelphia Phillies and our 6-0 Philadelphia Eagles--a Bustleton Bengals Girls' Basketball Team, who over the past 2 years, has compiled a regular season record and postseason record of a perfect 48-0, earning them back-to-back State championships. I am honored to be a small part of their greatness as one of the team's coaches and a player's father.

This group of overachievers is a true blessing to our community. The combination of dedicated coaches, caring parents, driven players, and a supportive community are all ingredients that allow this group to achieve excellence. I have had the privilege to coach many amazing basketball players over the years, but it is hard to describe the special pride and bond--mixed in with a little occasional frustration--of coaching 10 surrogate daughters

and watching them thrive as a team. This is not your ordinary team, Mr. President. These girls play year-round. They are in the gym 3 to 4 days a week making their weaknesses into strengths. They excel in academics. They help in the community. They would, as they would say, slay it in the TikTok world (laughter). Every one of them holds a special place in my heart, and I hope they all know that I learned much more from them than they do from me as being one of their coaches. I am inspired by the character they show when things get tough and how they can give 100 percent effort, both on the court and in the classroom.

Although hours and hours of practice have helped this team achieve championship greatness, I believe it is their bond off the court that really makes this group special. Our parents make sure that these girls' efforts are rewarded, day-in and day-out. Countless trips to Red Robin, Easter egg hunts after practice, Christmas parties featuring shooting contests with the Santa Claus versus the Grinch, trips to the shore, and meet and greets with basketball players from all over the tri-State area are experiences that these girls will cherish for the rest of their lives. And today, on October 24, you are being honored here at the State Capitol for being back-to-back State champions. I hope their commitment to each other and their camaraderie on and off the court last well beyond the day they finally hang up their Bustleton Bengal jerseys.

With an excellent resume leading up to this season, girls, I do have a challenge for you. I found out in my short tenure here in the Senate that in order to be recognized down here on the Senate floor, you must either be a national champion or a three-time State champion. So, girls, with that said, we still got some work to do. Our goal is to have you graduate from the gallery up there and join us down here on the Senate floor next year with me and the rest of my colleagues. Mr. President, I ask that we give the two-time State champion Bustleton Bengals a warm Senate welcome.

The PRESIDENT pro tempore. Will the guests of Senator Dillon please rise so the Senate can give you our usual warm welcome.

(Applause.)

GUESTS OF SENATOR WAYNE LANGERHOLC PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, I rise today to join my colleague, the Senator from Blair County, to recognize and honor the 2022 Hollidaysburg Little League squad. Two members of the team, Mr. President, Brody Dull and Aspen Anderson, hail from Bedford County within my district.

Brody Dull is in seventh grade at Chestnut Ridge Middle School, was the ace of the team's pitching staff, which resulted in him getting the ball to start the tournament in Williamsport in front of over 18,000 people and a national TV audience. Brody also came up with the clutch hit when his team needed it, such as his three-run homer in the State championship. Aspen Anderson is in the seventh grade at Bedford Middle School. Aspen is a well-rounded player who performs exceptionally well in whatever role he is in. Whether it be in the field, on the mound, in the batter's box, or running the bases, he excels at it all.

They have made their schools, their friends, their families, coaches, this Senator, and the Commonwealth very proud. These individuals have very bright futures ahead of them, and I look

forward to witnessing their future success, hopefully on the Pirates, but I think we can settle for the National League champ Phillies too, if need be. Again, Mr. President, I wish to introduce two members of the 2022 Little League World Series Mid-Atlantic team, Brody Dull and Aspen Anderson, and ask for a warm Senate welcome.

The PRESIDENT pro tempore. The Chair recognizes the guests of Senator Langerholc. Please rise so the Senate can give you our usual warm welcome.

(Applause.)

GUEST OF SENATOR SCOTT F. MARTIN AND SENATOR GENE YAW PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lancaster, Senator Martin.

Senator MARTIN. Mr. President, seated in the gallery is Ms. Ann Swanson, and I am pleased to rise and welcome her to the Pennsylvania Senate today. After nearly 35 years of service as the executive director, Ms. Swanson is retiring from the Chesapeake Bay Commission and leaves behind a legacy of success and respect. While former State Senator Noah Wenger was part of bringing Ann on board, I am proud to be the other Lancaster bookend on her storied career. A trained wildlife biologist, forest ecologist, and graduate of Yale University and the University of Vermont, Ann was the perfect person to be advising the tri-State body on all matters concerning the Chesapeake Bay. She was instrumental in passing legislation and implementing agricultural best management practices through the Clean Streams Fund and has earned global recognition for her contributions.

Closer to home, Ann was named an Admiral of the Chesapeake by Maryland Governor Martin O'Malley and received a lifetime achievement award from the Chesapeake Conservancy. And though she is retiring from her full-time job, I am certain her involvement as a board member of the Maryland Sea Grant and the Galápagos Conservancy and as a founder of ShoreRivers will keep her plenty busy. On a personal note, it has been a true joy to be able to work around Ann for the last few years--just an amazing job of encouraging a bipartisan spirit of cooperation with all the States as we tried to work to get things done to make clean water for Pennsylvania and for the bay, and she is just an all-around really good person. And I am just so proud to call her a friend. So, Ann, thank you for your dedication and service to our Commonwealth and the Chesapeake Bay, and best wishes in your retirement.

Thank you, Mr. President.

The PRESIDENT pro tempore. For further on this introduction, the Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, I have had the privilege and pleasure of being a member of the Chesapeake Bay Commission, I think, for 8 years now. The Chesapeake Bay Commission is really a unique entity. It is bicameral, which is not particularly special, but it is bipartisan, and that organization probably gives a new meaning to the word bipartisan. And it was years before--when I was on the commission--before I even realized what party some of the members of the commission were. We worked together. That attitude is what Ann Swanson brought to the

Chesapeake Bay Commission over all these years; 30 years she has been there.

Now, if the truth really be known, I have actually tried to get rid of her for a number of years (laughter), and she told me that she was not going to leave the commission until we passed the fertilizer bill here in Pennsylvania. Maryland did it, Virginia did it. We worked 11 years here in Pennsylvania to rewrite the fertilizer bill. This year, we finally did it, and it was signed by the Governor, and guess what? She is now leaving. I am kidding about this, and I hope, you know, somebody does not take this out of context and say, you know, here is what they said: they have been trying to drive her out. Ann is probably the most knowledgeable person I have ever run into about the Chesapeake Bay and the entire Susquehanna Watershed and its benefit and what it does and its meaning and its importance to not only Pennsylvania, Maryland, and Virginia, but to the United States.

So, I consider Ann a real friend. She will be missed. She has been the face of the Chesapeake Bay Commission for, as we said, more than 30 years now, and she will definitely be very difficult to be replaced. And I ask the Senate to give her a warm welcome, and I guess a warm goodbye and congratulations for her service to the Chesapeake Bay Commission.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guest of Senator Martin and Senator Yaw please rise so the Senate can give you our usual warm welcome.

(Applause.)

GUESTS OF SENATOR KATIE J. MUTH PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Montgomery, Senator Muth.

Senator MUTH. Mr. President, today I rise to recognize two amazing rockstar parents, advocates, and constituents, Kelly Volpe and Kate Mayer. First, a constituent of mine, Kelly Volpe is a mother of four children who lives in the 44th Senatorial District in Montgomery County. She has been a friend long before I arrived in this Chamber, but she has also taught me a lot about navigating literacy issues in our school system. And because of her work and the struggle that her two dyslexic children have had to navigate and still are, I have become a better policymaker, being more aware of the struggles and challenges within our schools and how we need to empower our teachers to actually implement the curriculum of science of reading. My second guest is Kate Mayer. She is an educator and co-founder of Everyone Reads PA and the Pennsylvania Reading League. Kate's science of reading advocacy work was born out of her experience as not just a teacher, but also a mother of five children, four of which have language-based learning differences. Kelly and Kate are also joined in the gallery today by Kate Murphy, co-founder of Everyone Reads Pennsylvania, and Alicia Humphreys, who is also a parent of a dyslexic child.

Mr. President, all four of these amazing women are here at the Capitol today with dozens of other parents, advocates, and experts to recognize the national Dyslexia Day here at the Capitol. And because of their advocacy, I have also introduced Senate Resolution No. 378, which recognizes October 2022 as Dyslexia Awareness Month in our Commonwealth. Dyslexia is a language-based learning disability occurring when there is a

problem in areas of the brain that help interpret language. Dyslexia refers to a cluster of symptoms, which result in people having difficulties with specific language skills, particularly reading. Some students will experience difficulties with other language skills such as spelling, writing, pronouncing words, and mixing up similar words and sounds. This really is not a disability, but rather it is a unique way of learning. It is a specific information processing issue that can be corrected, fixed if the right tools and resources are surrounding a child. Although, students with dyslexia are likely to struggle with many aspects of academic learning if these issues are not addressed, they have a higher rate of dropping out of school and often go years without being properly diagnosed. Over the course of the past 25 years, much has been learned about how a child actually learns to read and how reading skills develop, what critical skills are needed, and even how to predict and identify students who will struggle.

Mr. President, earlier today I joined these advocates, educators, and a number of my legislative colleagues in the media center to announce the \$3 million investment of American Rescue Plan Act dollars for funding structured literacy and science of reading programming for public schools in the 44th Senatorial District. The pilot program, run through the Chester County Intermediate Unit, will give all of my school districts in the 44th Senatorial District an opportunity to better support their parents, train their teachers, support the students, and ensure every single kid in every classroom receives a high-quality public education regardless of how they learn. Everyone learns differently, and so, it is imperative that all educators have access to resources to teach every kid in their classroom. Mr. President, I ask my colleagues for their support of Senate Resolution No. 378 and also ask that you give my guests a warm Senate welcome. Thank you very much.

The PRESIDENT pro tempore. Would the guests of Senator Muth please rise so the Senate can give you our usual warm welcome.

(Applause.)

GUESTS OF SENATOR JUDY SCHWANK PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, I have two sets of guests today, both of whom I am so excited to have here with us. First, I would like to introduce the Bodor family. Justin Bodor is an assistant district attorney in Berks County. He is here with his wife, Jessica, who is an assistant chief with the Berks County Adult Probation office and their delightful 6-year-old daughter, Charlotte, who I think is really going to be taking over the world someday. Charlotte is a first grader at Oley Valley Elementary, she plays soccer through the Oley Valley Youth League, and she is a big fan of nature camp with Berks Nature. I would like to note, Mr. President, that Assistant D.A. Bodor was formally, last year, the president of the Berks County Bar Association, and he was the individual who worked with us to create a pardon project in Berks County, which is successfully helping people to restore their lives and to help clear their records. And Jessica has been very, very involved in treatment courts in Berks County; a real power couple when it comes to Berks County law and justice.

Would you please help me in welcoming them to the Senate today.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Schwank please rise so the Senate can give you our usual warm welcome.

(Applause.)

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, I also have with me today two high school students from Wilson High School who are serving as interns in my office. First is Elias Parisi. He is a senior, of course, at Wilson where he participates in numerous musical ensembles, including the marching and jazz bands. He is also involved with the school's media crew. After graduation, Elias plans to attend college to study chemical and environmental engineering. And with him, also--we have two from Wilson High School--Caroline Long. Caroline is a part of her school's field hockey team, the community service chair on student government, and president of the letters of love club. After high school, Caroline plans to study political science in college. She is here with her parents today; it is always great to have our friends and neighbors from Berks County here in the Senate. May we please welcome them, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Schwank please rise so the Senate can give you our usual warm welcome.

(Applause.)

GUESTS OF SENATOR MICHAEL R. REGAN PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from York, Senator Regan.

Senator REGAN. Mr. President, I am honored to welcome constituents from the 31st Senatorial District who are with us today in the Senate gallery. Patrick Sisca, an outstanding young man from Lewisberry, Pennsylvania, has joined the esteemed ranks of exemplary individuals who have earned the rank of Eagle Scout. Patrick is a member of Troop 192 in New Cumberland, and for his Eagle Scout project, he constructed a beautiful patio with a fire pit and memorial stone at the West Shore Sportsmen's Association. Throughout his scouting career, Patrick has served his troop as librarian, chaplain aide, scribe, quartermaster, assistant senior patrol leader, and senior patrol leader. Patrick is joined today by his parents, David and Kathleen; his brother, Thomas; and his sister, Annalise; as well as Jennifer Burke, who is the wife of Scoutmaster Michael Burke. Mr. President, I ask my colleagues to join me in congratulating new Eagle Scout Patrick Sisca and giving his wonderful family a warm Senate welcome.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Regan please rise so the Senate can give you our usual warm welcome.

(Applause.)

GUESTS OF SENATOR ROBERT B. MENSCH PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Montgomery, Senator Mensch.

Senator MENSCH. Mr. President, today it is my pleasure to introduce the Marks family, along with one of their family friends, to the Senate. Michelle Marks, Johnathan Marks, and Jakob Borrelli are our guests. They hail from Barto in Berks County, which lies within a school district that we have in common; I will talk about that in a moment. Michelle works for Pulse Technologies, which is an advanced innovation, a contract manufacturing company, and it is located in Quakertown, Pennsylvania. That company focuses exclusively on medical device components and assemblies. And in November, Michelle will be coming up to 20 years with the company; may we congratulate and acknowledge her for that huge success. Johnathan Marks is 17, Jakob Borrelli is 18, and both are seniors at the Upper Perkiomen High School District, which happens to be my alma mater as well, so I know they are excellent people. They are excited to be here today, and we are excited to have them. Actually, Mr. President, we began discussions with the family 3 years ago to make this tour and, of course, we had a shutdown for 2 years, so we delayed it. But I am really pleased that here in my last week of official duties with the Pennsylvania Senate that we can welcome this wonderful family. So, Mr. President, I ask that we extend our traditional warm welcome to the Marks family and to their guest, Mr. Borrelli, thank you.

The PRESIDENT pro tempore. Will the guests of Senator Mensch please rise so the Senate can give you our usual warm welcome.

(Applause.)

GUEST OF SENATOR AMANDA M. CAPPELLETTI PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Montgomery, Senator Cappelletti.

Senator CAPPELLETTI. Mr. President, today I rise to welcome Bobin Park to the Senate Chamber. Bobin is an ambitious junior at Wissahickon High School who has gone to school in three different countries, including here in the United States, as well as Singapore and Korea. With a passion for women's and immigration issues, Bobin is involved in the electoral process in her community, dedicating her time to local candidates in her area. And in high school, we were just talking today and she was telling me how active she is with the Model UN debate team and even mock trial.

Bobin joined my team in September as an intern and absolutely hit the ground running by assisting with various projects across the office. Since starting in September, Bobin has worked hard on my social media content, drafting compelling content and creating riveting graphics to help boost social media engagement and get information out to our constituents. Additionally, she has provided support to my constituent's team and has done outreach by representing my office at various community events. I am always honored to give a younger generation an opportunity to get involved in their government, and I am so grateful Bobin could be here today with me. Please join me in welcoming Bobin Park to the Senate Chamber today.

The PRESIDENT pro tempore. Will the guest of Senator Cappelletti please rise so the Senate can give you our usual warm welcome.

(Applause.)

**GUESTS OF SENATOR
CAMERA C. BARTOLOTTA
PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, today I rise to be very happy to welcome two incredibly special guests from Greene County, Sam and Lauren McCollum, who are seated in the gallery. Sam is the associate vice president of strategic partnerships, Neuhaus Education Center. Neuhaus Education Center has been in the forefront of helping to develop solutions for overcoming obstacles in literacy, including dyslexia. Sam is also active in local government, having served as a borough councilman, school board member, and a committeeman. And he has been very, very busy in a very lengthy radio career announcing lots of different sports teams back in the district, and he is known as the voice of Waynesburg University football. Lauren, his beautiful wife, after working for the IRS once graduating college, decided to follow her dream and become a stay-at-home mom. She is a full-time stay-at-home mom and grandmother. And, as Sam puts it, she gets plenty of overtime. So, it is my pleasure to welcome both of these wonderful folks from Greene County to the Senate floor, and, Mr. President, please join me in extending a very warm Senate welcome to Sam and Lauren McCollum. Thank you.

The PRESIDENT pro tempore. Would the guests of Senator Bartolotta please rise so the Senate can give you our usual warm welcome.

(Applause.)

**GUEST OF SENATOR SHARIF T. STREET
PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Philadelphia, Senator Street.

Senator STREET. Mr. President, I rise to introduce Felix Xavier Rodriguez, a.k.a. Hide Miyabi. In honor of Hispanic Heritage Month, I would like to introduce a talented young man from Philadelphia, who has been getting a lot of attention lately as a music producer and songwriter. Felix Xavier Rodriguez, known on the stage as Hide Miyabi, was born in the Bronx, New York, to a Dominican mother and father. As a child, he was completely into music. He wrote and performed his own songs. He moved to Philadelphia with his family when he was 7 years old.

In 2016, he began working as a full-time radio programmer at Philadelphia's leading Spanish-language radio station. He eventually left his day job to focus on producing his own music. He soon began collaborating with Grammy award-winning, art-winning, and multi-platinum-selling artist Lil Uzi Vert. The turning point in his career was when he worked as a coproducer for Chris Brown's hit single, "Pills & Automobiles." The song became an instant hit in August 2017. It was certified platinum by the RIAA. The song trended for a long time and ranked number 46 on the Billboard Hot 100. The chartbuster single is certified as double platinum and has more than 247 million views on YouTube. In his short career span, he has worked with many big celebrities from the music industry to create music that is enjoyed by people all over the world. And he still has plenty of time for the community in North Philadelphia. Would my colleagues join me in welcoming Felix Xavier Rodriguez to the Pennsylvania Senate.

The PRESIDING OFFICER (Senator Elder A. Vogel, Jr.) in the Chair.

The PRESIDING OFFICER. Would the guest of Senator Street please rise so the Senate may give you its usual warm welcome.

(Applause.)

**ANNOUNCEMENT BY THE
PRESIDING OFFICER**

The PRESIDING OFFICER. Pursuant to Senate Rule 21(b), the Chair is giving the Senators notice that photographers from the Republican Caucus have been granted permission to take still photographs on the floor of the Senate today during the special order of business, farewell to a Member.

**SPECIAL ORDER OF BUSINESS
FAREWELL TO MEMBER**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Centre, Senator Corman.

The PRESIDENT pro tempore. Mr. President, as we continue our process over the last couple of weeks of recognizing our retiring Members, today, we take a moment to recognize Senator Pat Browne from the Lehigh Valley. In my years here working in the Senate, I do not know if there is anyone I worked closer with over those years on many, many projects. But it did not start out that way. We were not aligned necessarily in the beginning. See, when Pat ran for the Senate, he ran against an opponent who is with us today, former State Representative Jennifer Mann. Now, the problem there was, Jennifer Mann introduced me to my wife, is my wife's cousin, and was maid of honor in our wedding. So, you might imagine, that led to be a little difficult situation; although I sort of kept my head down and stayed out of it, all my family is going door to door working against Pat. But, in true Pat Browne style, after he was victorious in that race, I called him up to congratulate him and apologized for not being involved in his race. He said: Jake, you were right where we were supposed to be. You were with your family.

In 2008, Pat and I ran against each other for a leadership position. Now, those Members of the Senate can tell you, leadership races are awful. They are races amongst friends; it is very difficult; but somehow, we persevered through that. I ended up being successful, and in gracious style, Pat and I still remained friends. Pat then got into leadership, but it was really 2014 when Senator Scarnati, who is with us today, was reforming the leadership team and first asked me to be the Majority Leader, and then we asked Pat to be the Committee on Appropriations Chair. And when Pat agreed to that, it began a relationship between the two of us that I believe, modestly saying, led to some major, historic changes here in the Capital of Pennsylvania.

Pat, you know, whether it would be rewriting the Basic Education Formula to a Fair Funding Formula, which finally addressed the issue of inequity here in our education funding; whether it was redoing the Special Education Funding formula here; he is probably most proud of his Neighborhood Improvement Zone tax credit that Pat ultimately got passed through here--and I believe is a model for any urban city, third-largest city in Pennsylvania, Allentown--that revolutionized the downtown. Now, I know that because, as I said, my family is from the Lehigh

Valley, so I always like to refer to me as a third Senator from the Lehigh Valley behind Senator Browne and Senator Boscola. And what that has done for the city of Allentown and the school district of Allentown is immeasurable and it is so exciting to see.

But where Pat and I really spent a lot of time working together was the reformation of the public pension system. Now, we had a great team, I always said. Pat was the brains, and I was the mouth. Pat was the brains behind working the formulas and working the legislation, working the issues along with Scott Sikorski from my office, but, you know, I was the one who went out and tried to sell it and went place to place. And someday you will have to tell me what is actually in that bill, because I do not know that I understand it. But Pat was the brains behind it, and I was the one who went out and sold it. And it took a while; it did not happen overnight. I believe we addressed the need for change in our public pension system in 2008, and I do not believe we passed it until 2016. So, we were not quick salesmen, but we persevered along with the other Members of our Caucus to show that this was something that had to happen. And it is a historic change, that we were the only State in the nation that took that aggressive approach that included both the State employees and the State education employees and took 60 percent of the risk off the table. And so, to me, that will always be the issue that I remember Pat the most and working together on.

You know, as a child of the seventies, I can tell you without question that the greatest music group in the history of the planet is The Beatles. And what made them successful is that John Lennon was the lyrics and Paul McCartney was the music. Well, my friend, you were the lyrics, and I was the music, and together we were able to do great things. And I go back to the beginning, my first date with my wife, now wife, in the city of Allentown. We were going downtown, and I saw a statue in Center Square, and I said: who is that a statue of? And she said: I do not know. And I said: well, ok. But now, I think, if the town fathers of the city of Allentown know what is right, there will be another statue. It will be a statue of Pat Browne for everything he has done for the city of Allentown and the Lehigh Valley. Mr. President, please welcome the Committee on Appropriations Chair and our dear friend, Senator Pat Browne, for his remarks.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, thank you very much for this opportunity. First, to acknowledge my pro tempore, my partner, part of the Allentown caucus, right? And someone I have learned so much from over my tenure with you. Your ability to move things along in a mixed company is something I have always coveted, and your advice related to difficult politics we sometimes deal with has been extraordinary. Jake, you have been my pro tempore, my legislative partner, but what I covet most is that you are my friend, and I really appreciate it. Thank you. I wanted to acknowledge our Chaplain, Father Greenfield. Father Greenfield, in our community, is a spiritual leader, but he is also a leader as it relates to the future of the Lehigh Valley, being president of DeSales University. Father Greenfield is setting a platform for future growth and prosperity in the valley, and our relationship with him has been so beneficial and fulfilling to all of us. So, I wanted to thank him for taking the time today--with very

busy time he has--to come out and be our Chaplain today. I want to thank him for that.

I have a couple others--many people to acknowledge--but a couple who are with me today who I wanted to acknowledge. First is my district office staff. I know we are all proud of our district office staff, but I am so proud of my team and how well they have done in serving the people of Allentown and the Lehigh Valley. The people of the Allentown area and Lehigh Valley will have a tough time in transition to a group who is so committed and so dedicated to their well-being. Today with me is my chief of staff, Ellen Kern; Loretta DeWalt, who is my administrator; my constituent service specialists--and they are specialists, they do an unbelievable job--Altagracia Mercado and Jose Soto; my communications director, Matt Szuchyt; and someone who has been with me for a very long time, who is an extraordinary friend and extraordinary asset to me, who has been back and forth from Harrisburg to Allentown and has been always there with me, Matt Moyer. My team is unbelievably valuable to me, and I wanted to acknowledge them as well. I have some dignitaries with me today. One, you have already been acknowledged, Joe Scarnati, is here with us; as well as T.J. Rooney and Jennifer Mann. They have meant so much to me over my legislative career, but, again, I am more proud to be able to call them my friends, and I am happy they are here with me today.

With me today is also a miracle, an absolute miracle of 40 years. Suffering from chronic pain, misdiagnosed with lupus and MS; finally diagnosed correctly with extreme fibromyalgia; being told by traditional medicine that they cannot help or make any progress; being told that she had to settle for full disability. Reaching within herself through an extraordinary spirit and strength, a remarkable light that would not go out, finding her own path towards full recovery. With me today is my wife, Heather Harrison Browne, and I am so happy she is with me today. (Applause.) Heather now dedicates her time towards helping others who have had the same challenges through fellowship, through counseling, through ministry, and frankly, for just being herself. She is completing a book, talking about our journey, which I know will be extraordinarily valuable to all our constituents who are challenged and suffering with the same things that she has suffered with. In that book will be a story about life with an elected official, which is damn hard--we all know that--and with me, harder than most. I have had some ups in my career, all of which were inspired by her positive energy. I have had some extraordinary downs, which those who know my path know what they are, and she has been there for each and every one of those. I do not know what my next chapter is going to be. I am very excited about it, but eventually I will be able to settle in on another chapter. But if my 28 years here is going to mean anything--is going to be meaningful and worth it--the next chapter is going to be the most meaningful and most worth it for my wife, Heather. Heather, I love you, and thank you for being here with me.

I am also proud to have members of my family with me--my brothers, sisters, in-laws, nieces, and nephews. We had an opportunity last week to make some progress as it relates to the Commonwealth's actions and policies as it relates to breast cancer--acknowledging the tremendous courage of our Majority Leader, Kim Ward. I also have a survivor in my family of breast cancer who we care about dearly, and that is my sister, Jean. My sister

Jean is with us today. One thing that we always knew when we found out that Jean was diagnosed and was being treated for breast cancer is: breast cancer? You have got to be kidding. No one messes with my sister, Jean. Jean, thank you for being here today. If I had to describe the meaning of my family to the work I do here--and humbly and fortunately--I can say they represent a path that I believe we would all like to see for families throughout Pennsylvania. My great-grandparents coming to America at the turn of the 20th century--coming from Italy and Ireland--their children, my grandparents, working in frontline service jobs, healthcare jobs to save money for their children's future. My father and mother, their children, being the first ones to attend higher education, then meeting in Fordham Law School. My mother being 1 of 3 women to graduate from Fordham Law School in 1958. My mother often used to poke at my father because when they received a job outside of law school, she made \$6,200 and he made \$5,900. So, she liked to poke him with that. And their children, my brothers and sisters, all with higher education; all community, State, national, international leaders in banking, transportation, fashion, law, and medicine. And I know we are certain--having my niece and nephew with us today--that their path is going to be more promising as years go on. I, of course, my adult vocational life, I chose public service, and if I received that calling from anyone, it would have been from my mother. But her mother being an elected ward leader in Jersey City, my mother being recruited for the State House seat before I ran for it, having been fortunate enough to win that seat in 1994.

My father, on the other hand, did not really care for politics; was not happy that I would sacrifice a pretty steady job in public accounting to run for a seat the Republican never had. But after a couple of pairs of worn-out shoes, I was successful, and he was happy for me. Although he did not like ceremony, he agreed to come out for my first swearing-in in 1994. I told him it was going to be a short ceremony--a couple of hours, then he can get back on the road. Unfortunately, 1994 was the year that the Republicans--and Dave remembers this, Dave Argall; John Gordner remembers this; I know Scott remembers this: one of the Democrats switched parties to give the Republicans a majority by one Member, and a 7-hour fight proceeded on the House floor. I was looking back at my father, and his face was getting redder and redder. (Laughter.) And at the close, he told me that he was very happy for me, but I will never forget what else he said: what the hell did you get yourself into? (Laughter.) And I was kind of worried myself, having gone through that. And it did not make it any easier that it is safe to say that there is no condition that probably leads to the--as Ben Franklin would call--the creation of extreme moderate than a middle child in a large, competitive Irish/Italian family.

I wanted to come out here and work, whoever would work with me, and I was looking forward to that, but it was reinforced in my first bill coming up on the House floor after a 7-hour interrogation and one of the Members of the Republican Caucus switching their vote. The bill ended up failing, and at that point, I truly considered that I would be one term and out. After several months of listening and learning, I was assigned to a subcommittee under the pragmatic Chair of the House Committee on Finance at that time--and Scott served with me as well on that--on the exciting topic of purely public charities, how the State would approach and treat purely public charities. And we were charged

with that task. We did 12 dozen hearings around the State about a consultation. And, at the end of the day, we were able to pull together hundreds of charities and hundreds of local governments who wanted a consensus approach to how this State treats those institutions. Since that time--20 years ago--I have kept a plastic cube on my desk, and it is a cube that has a miniature copy of Act 55 of 1996 to remind me that through collaboration and consensus-building, meaningful progress and governing in this General Assembly is infinitely possible. Collaboration leading to the passing of 12 appropriation acts during my service in the Committee on Appropriations; regardless of incurring deficits and our pandemic challenge, we invested in our future and our final act: putting us in the strongest financial and competitive position we have seen in a generation. Collaboration taking Pennsylvania from zero to nearly \$400 million in recurring investment in the lives of our youngest, at-risk children; providing early education to tens of thousands so that they can maximize their primary education experience. Collaboration allowing us to modernize our retirement offerings for our most worthy State and school district employees as our pro tempore had mentioned. I am very proud to work with him in making that happen--insurance security for them and sustainability for our taxpayers. Collaboration and consensus to new platforms for basic education and special education finance: greater equity, greater fairness, greater opportunity for our students. Collaboration allowing this Assembly to advance the vision of my wife, Heather--whose vision, for those who know her, is a lot clearer than mine--for a new statewide communication system which connects students to share and intervene, creating a new education environment in which challenges are addressed, and safety is secured. And collaboration leading to a bright, new day for Pennsylvania's third-largest city.

When my parents decided to adopt Allentown as their town that they would raise our family, in the typical New York mindset, it might as well have been on the moon. They soon grew to love the queen city for its down-to-earth, hardworking residents. Allentown provided all of us with tremendous opportunities. So, when it began to struggle at the end of the last century, it was difficult for us. Yet, with the work of this Chamber--collaborative work of this Chamber--Allentown is again enjoying the fruits of what a vibrant urban environment will bring. And now, a new generation is sharing the hope and pride for a prosperous future. I always wanted to say this on this floor: Billy Joel, eat your heart out. (Laughter.) Allentown is back and it is this Chamber's responsibility. (Applause.)

Finally, Mr. President, one thing you realize--I am sure Jake and all of the Members who are retiring realize this--after 28 years, you accumulate a lot of stuff. And since my basement and my garage are stuffed, a lot of the stuff I am not going to keep. But there is one thing that I acquired that was bestowed on me over the last 28 years I am definitely going to cherish. I was honored to serve, as Jake had mentioned, as chair of the Special Education Commission. Over a 2-year period, we conducted over a dozen public hearings. And participating with us for most of those hearings was a remarkable young woman named Mikayla Resh. Mikayla was unfortunately born with severe brain damage, which confined her to a wheelchair and deprived her of an ability to express herself verbally, but that did not deny her of her ability to speak. At the end of our work, after the General Assembly adopted our recommendations, she came to our Senate

Committee on Appropriations office and presented us a gift. It was an 8 by 4 American flag. It contained the same 13 stars and stripes as the original but created and presented to us in a very original way. Thirteen stripes on the flag were painted with the wheels of a wheelchair; the stars painted with the palms of her hands; the background red and blue colors painted with the tail of her service dog. Although Mikayla was not able to describe it to us in this unique version of America's indelible symbol, her voice was loud and clear, and that is: if our State and our nation is going to live up to its promise, it must be about full inclusion; that regardless of who you are, who you love, or what your physical abilities are, that our representative institutions at all levels need to advance policies that ensure a path for all to hope and opportunity.

Unfortunately, Mikayla is no longer with us, having passed away in 2019. Although, her strength and her spirit allowed her to live more than twice the amount of time that her caregivers gave her to live. Her powerful spirit lives on in the charity which bears her name and the collaborative work that this Chamber must continue and will continue to do for the many other children of Pennsylvania with challenges like hers. Because, Mr. President, the simple fact is that for each and every one of us, there will be a time where we reflect on whether our time in this Assembly was meaningful. Did it make a difference in the lives of our worthy Pennsylvania children and our citizens? That time, of course, for me is now. While in many regards, only time will tell whether it made a difference. But at the most basic, intimate, and to me, the most meaningful level, if our time and effort and service provided hope, provided opportunity to worthy children of Pennsylvania whose challenges are, each and every day, far beyond our possible comprehension, then I believe the answer to that question is "yes."

Thank you, Mr. President, and God bless.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, Senator Browne has served the people of Lehigh and the city of Allentown since 2005. He started his public service in the House of Representatives. He was the first Republican elected to serve the people of the 131st Senatorial District, and he served there for 10 years before winning a Senate special election in April of 2005, which at that time he took over the 16th Senatorial District, and he has been there for four consecutive terms. And we know that he has done a great job because that district was hard, that district was hard to hold; but yet Pat did it time and again. He previously served as a Senate Majority Whip during the 2011, 2012, and 2013, and 2014 legislative Sessions. Prior to that, he served as a Caucus administrator, appointed that position by our former Senate pro tempore over here, Jake Corman [sic]. But then he took over the Committee on Appropriations, and he has done such a good job with that. I always say: Pat Browne is the smartest man in the legislature. He knows everything about every bit of numbers that could possibly affect the taxpayers and the good of our Commonwealth. And I do always say this--and I am sorry, Pat, I do not mean it as an insult--but, you know, we will be sitting in caucus or we will be sitting in the Committee on Appropriations meeting, and he starts to talk about numbers, and within two minutes I am on a beach somewhere, because I really have no idea what he is talking

about. (Laughter.) You know, nobody has the details down like Pat Browne has had the details down, just invaluable. You can see it when he walks the halls going into those kinds of meetings; he is not sauntering, he is going there, and he is going full speed ahead. He is going there with purpose, and he has served a wonderful purpose to make sure that we remain, in our Commonwealth, fiscally sound after all of us are gone. It was not just: this is an easy budget; I want that in the budget; okay, no problem. It was more: I want that in budget. It was more: yeah, you cannot have that in the budget because in 4 years it is going to do this to the Commonwealth of Pennsylvania. So, he has been just a great steward of our money.

Pat is nationally recognized for his early childhood advocacy. He rewrote the Pennsylvania basic education and special education formulas, and for the city of Allentown, he crafted a one-of-a-kind 130-acre Neighborhood Improvement Zone to help revitalize and expand the tax base for that struggling city. As a result of those efforts, there has already been more than \$1 billion of new development investing in Allentown, and more than \$3 million in annual school property tax revenues for the Allentown School District through the NIZ. This NIZ concept has served as a model for the economically distressed areas throughout the Commonwealth with the establishment of the City Revitalization and Improvement Zones, also known as CRIZ. And everybody wants one, well, we cannot all have one. And if you have not been to the city of Allentown, you should go. I could not believe it when I pulled up there the first time. It is amazing. It is developing. It is going to be a great place for young people; it is going to be a magnet for young people, and that is where the start for our economic growth starts: by pulling in young, talented people.

While his track record of success for his constituents is strong, it is what he has done in his role to help maintain the solvency of Pennsylvania's financial status, especially during the COVID-19 pandemic; and that had such a significant effect on our Commonwealth. Every position that Pat put forward was based on what was best for Pennsylvania, and of course, based on the numbers. He was very considerate of how much Pennsylvanians had suffered yet persevered despite having lost their jobs, their incomes, or forced to close their businesses. His work helped put us back on a path toward prosperity while maintaining our standing for years to come. Our last two State budgets made strategic investments in people and not ideas. Our goal was to give Pennsylvanians the freedom and confidence to move forward by allowing them to take back their lives and rise above the pandemic experience. The decisions we made under Pat's leadership helped us to reconnect with our families, friends, and reengage in our communities. You know, Pat, I will always be grateful and remember that you were the first Senator when I ran my first time, I had 10 weeks--it was a different kind of situation--and Senator Pat Browne was coming to knock on doors with me. I am sure you heard a lot of things; I know you have heard a lot of things at those doors, it was a different time in the district; but I always appreciated that, and I always felt like had something special here with Pat for doing that.

I will always be grateful to you for your contributions to the body and to our Commonwealth. And I do and have had the pleasure of spending a little bit of time with your wife, Heather, who, you are right, she is amazing, and you just put out the most positive energy. So, I was connected with her right away, and I

would like to hang out with her more. I am done hanging out with you, but I would like to hang out with her more. So thank you, Pat, for everything you have done, and I know that your talents will not be left on the table, and we will be working with you again very, very soon. Thank you.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, Pat Browne, you made a difference. Pat Browne, you made a difference. I want you to remember that. Want you to all never forget that. Mrs. Browne, your husband made a difference up here. To your family, he made a difference to the people of Pennsylvania. We all, as elected officials, come to whatever position that we are in, whatever, whatever position--it could be State Senate, it could be State House, it could be local councilperson, school board member, whatever--but we all have that ideal in our eye, or hopefully we have that idea in our eye and our heart, to be a person who makes a difference, who makes a difference for good. Pat Browne, you have made a difference. I want you to understand that. We served together for 8 years in our respective roles. You have made a difference; you have made a difference; you have centered a lot of your work in a couple of different areas. You remind us constantly that facts matter, that numbers count, and that we cannot escape those two realities: the facts and the numbers. You are that thorn in your body and in mine that says: the numbers must add up. Now we may see the math a little bit differently on occasion, but it is always about making sure that the math adds up.

You made a difference, Pat Browne; you made a difference. We all want to walk away from our time in these roles of elected office of having others say: you know that guy, that gal, they made a difference; they impacted people's lives. I am here to tell you, right now, for the record: you have made a difference; you have made a difference. Facts matter. Numbers count. We all want to be that elected official. I mean how many times have we heard it, Senator Costa, to my colleagues here. How many times have we heard it from folks who come to us over the years, and they have got an issue or policy and they say: well, what does Pat say? What does Browne say? How does he feel about it? Because if you do not have Browne, it is dead in the water. But if you get Browne, then you might have an opportunity to nab a few others in this concept. All of us want to have the record when we retire, when we leave our respective bodies, to have that as something that hung over us or hung around us. What does Browne say? Is he with it? And if he is, we have got a running chance. You made a difference, Pat; you made a difference. How many different ways? The Leader talked about the NIZ. Madam Leader, I would recommend that we change the name of the NIZ to the BRIZ. Okay, all right, drop the N, put the BR for Browne, and just rename that whole thing. We want a BRIZ in our district, because we all want one, because you showed us how it can have an impact. You made a difference.

The Maasai in Africa do not greet each other with the traditional phrase: how are you? How are you feeling today? They do not greet each other like that. They greet each other with the phrase: and how are the children? They do not say hello. They say: how are your children? Because they know that we are tested and merit is tested not on what we do for ourselves, but what we do for future generations, for our children. The children are doing

well, then we should be fine. I am sure all of us could speak to that from a personal vantage point. If our kids are doing good, there is a smile on our face; if our kids are not doing too good, there is probably a frown somewhere. But if you look at your record, Pat Browne, you made a difference. How are the children? Trauma-informed education, we worked together on that. Toxic schools, we worked together on that. Education funding in every iteration, we tried to find a way to get to an accommodation, to get to "yes," and most times than not we figured it out. Did I push for more? You know I did. But you were receptive, you were receptive, because you knew it was the right thing, because you knew that if you were asked the question, if you were greeted: how are the children? That you needed to have an effective response. But Safe2Say, maybe our greatest accomplishment--because of the lives it saves current in a current time, but for years and decades and generations to come--that one phone call to that one counselor could be life or death in a given moment, but could be the way to save a life for years to come. And how are the children?

Pat Browne, I am still going to ask the question: what does Pat say? You may be long gone, but I know you are going to be hovering around. I know you will be hovering around, and I am still going to ask: what does Pat say? I will still call you to say: Pat, what do you think about this? What do you think about that? Because, because Pat Browne made a difference, and I thank you for that. I thank you for your belief in this institution. I thank you for keeping us--doing your darndest to keep us--on the straight and narrow and not get so far sidetracked by the madness that hovers around us, to keep us focused on the prize of making a difference. I am not going to say I miss you, because you are still on speed dial, that is not going to change. Pat Browne, Mrs. Browne, family, friends, know: this man made a difference in the lives of the people of the Commonwealth of Pennsylvania. Thank you, Pat. Thank you very much.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I just want to build upon the comments of all of our colleagues here today, who talked about the tremendous legacy that Senator Pat Browne will leave here in the Senate of Pennsylvania and the House of Representatives, but also the Commonwealth of Pennsylvania. I just want to talk about a couple of things that we did. I think Senator Kim Ward did mention the pension situation and Senator Corman. Many folks in this room do not, have not had the chance to recognize the dire straits that our pension systems were in: multibillion-dollar deficit; more like \$2.5 or \$3 or even \$4 billion. And it was the creative thoughtfulness of the team working together--led by Senator Browne, along with Senator Corman and Senator Scarnati, who is here today, and our folks on this side of the aisle, myself and Senator Hughes, and so many others--that helped put together a proposal, a plan, that quite frankly, rescued the system. To this day, all of us in this room have the benefit of having a stabilized system in place right now because of the work that was being done, and it was not easy. It was something that had to garner the support of the labor community, which it did, and that tells you how he was able, working together with everyone, to be able to thread the needle to be able to get to that place and time. So, just from the financial aspect of that system, we owe him a debt of gratitude.

And I was talking with Mark Mekilo, who was part of that conversation, along with Randy Albright, and some others. If we hear the term "cliff," "a collar," "financial required unfunded liability," those terms 10, 12 years ago were something we were talking about consistently in the Senate Chamber in Harrisburg. Words I hope we do not have to listen to here again going forward. For many of you, those are words that are foreign to you. But it helped us resolve the crisis that we were dealing with.

But I also want to talk, just very briefly, about some of the other programs that were kind of not mentioned that I feel honored to be a part of the work that Pat has done. The early childhood program he put together. Putting together a caucus to talk about early childhood. About 10 or 12 years ago, and I see some of you shaking your head, how important that was, and how it was to set the stage for us to be able to continue to make the investments that we have made today. Certainly, I had the opportunity to serve, I was one of the cochairs of the arts and cultural caucus, putting together a group of folks from the arts community across Pennsylvania, and legislators as well, to talk about the value--the economic impact certainly--but the value of the arts have in our schools, with our students, and as I mentioned, in our communities. And to be able to make certain that we had acknowledged how important that was and that that sector should not be left behind. And as we went through the process the last couple of years, I had the pleasure of talking with Senator Browne about making sure when we did some of the American Rescue stuff that we did find some resources along those lines to be able to make those investments that have impacted small communities and large communities. When you think about some of the arts activity and some of the small towns across Pennsylvania that have been able to survive because of the grant programs; be able to survive because we were able to provide resources in that space to allow them the opportunity to continue to sustain themselves. Those are all things that are very, very important, and I personally will remember the work of Pat Browne.

Senator Hughes really indicated how I feel, and I appreciate the work that we have done together. You know, during the budget conversations over the course of the years, sometimes they got hectic, and sometimes we were at opposite ends of where we needed to be in the end. And I can tell you that it was either a reassuring conversation with Senator Pat Browne outside the parking plaza, where we would run into each other, or as a calming phone call to say: we are going to work things out; let us keep keeping the foot to the pedal; we will make things work. And that was the type of person he was and is: thoughtful, very thoughtful in terms of the work was being done here. And I just cannot say enough about my appreciation for his thoughtful, reasonable, and rational demeanor in terms of as we advanced measures through the process. Thank you for listening to the pleas of our side of the aisle, and thank you for being the person whom you are and doing the wonderful things that you have done for this Commonwealth. Thank you very much, and enjoy your retirement, Pat.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lancaster, Senator Martin.

Senator MARTIN. Mr. President, when you first get to know Pat Browne after hearing about him and get to watch him in action, you truly develop an appreciation for his knowledge base. I often get a chuckle after watching Pat, who usually would wait

till the end in the Committee on Appropriations hearings to give his comments, or at the end of our Act 50 hearings or things like that, to watch him really clear the table. I have to say, once Pat talks, no one really gets up to challenge what he said, especially if it had to do with anything financial or long-term outlook, and it was always quite a sight to see.

But I always appreciated being able to sit down with Pat whenever you had an idea, and it could go across the board because ultimately, everything that we do up here somehow then eventually does funnel into: well, how does it impact us financially? And Pat, not only just about concern over his own district, to be able to sit down and go through a thought process of what you wanted to do, whether it was something that would impact the entire Commonwealth, or something that would impact your own district, for him to take the time to really step-by-step go through that with us as individual Members is just truly appreciated. And for me personally, I will say having watched him in action as the Committee on Appropriations chair, they are going to be some big shoes to fill and a void moving forward as we look at budgets.

But what really stands out to me about Pat, and it has only been mentioned a couple of times, and you saw how we reacted in talking about his work with special education, is his work involving children goes way beyond just what we have heard about so far. A lot of folks do not know--and he has hung it in his office proudly--as one of the leading States in addressing concussions with athletes, Pat Browne was a leader in that conversation, and something that has spread all across this country. When we talked about--and we said it last week, in talking about Senator Tomlinson--his work on name image or likeness for college athletes and opportunities for them. When we talk about one of the biggest reforms in the history of the State System of Higher Education, that has been an ongoing process. It was historical what happened. But I will tell you, the work in grinding that out with our Act 50 hearings with the Committee on Education and the Committee on Appropriations, Pat absolutely helped set the tone and the direction that we needed to go.

But there is also work, and I referred to it earlier, that you did not really get to see on the front of things. Many folks in this Chamber remember that we were a leader in this country in passing pediatric cancer research funding. But I can tell you the work in going to make the bill that we passed out of the Senate, the work that went into that, and making sure that it was set up right, the work that Pat did in helping pull that together, to make sure it was done right, was absolutely critical. And now to hear that 22 other States are following Pennsylvania's lead, and now to hear that governments of other countries are looking at the role that Pennsylvania played in coming through for children battling pediatric cancer, Pat Browne played a huge part in that as well.

Personally, I am going to miss my conversations with Pat, and I want him to know that he is always welcome to grab his camera, come on down to the 13th Senatorial District, swing by the Strasburg Rail Road and the Pennsylvania Rail Museum [Railroad Museum of Pennsylvania], and see what is the latest train coming in for repairs. But I also wish him the best, because a lot of folks may not know this about Pat, but boy is he a diehard Fighting Irish Notre Dame fan. And I wish you all the best, Pat. I will still be calling you quite often. I am glad to call you a friend, and thank you for what you have done not only for the people of your

district, but for the people all across Pennsylvania. God bless you, my friend.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, the first speech that I ever heard a very young Representative Pat Browne give--as he sat right in front of me on the floor of the House--was very impassioned on some arcane piece of tax policy. And he came back to all of us, and he said: how did I do? How did I do? And we all said: Pat, we are voting with you; we have no idea what you are talking about. And based on what Senator Corman and Senator Kim Ward said, some things have not changed, but we trust him. When many of us in our travels across the State of Pennsylvania spend a lot of time in our vehicles, I listen to a lot of audiobooks. A couple of years ago, I came across this book on breathing new life into small towns and larger cities, and I was really surprised, because as I am listening to the book, I found out there is a whole chapter in this book on Pat Browne and Allentown. Pat was kind enough to give all of us copies today, but in his humble fashion, he never even mentioned it. He is a detail guy, there is no doubt about this. I have studied some of these zone programs in my academic work, and I asked him: well--and I understand the KOZs, we borrowed that idea from Michigan, and this program we borrowed from this State, and this program we borrowed from this State--where did the CRIZ come from? And Pat gave a very honest answer, he said: my crazy, tax attorney, CPA brain. Because of that brain, many communities are in much better shape today than they used to be, including many portions of Allentown. And so, Pat, just congratulations on your many accomplishments. You have served as a mentor, a friend, and a colleague to many of us.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Mr. President, Pat, you came into the General Assembly about 1995 when I was just coming over here to the Senate. And then you came over to the Senate in 2005, and of course, I served under three different Committee on Appropriations chairs when I was on the Committee on Appropriations: Senator Tilghman, Senator Thompson, and of course, Senator Corman. And now that Senator Corman is gone, I can honestly say that you are probably the best Committee on Appropriations chair I ever served under. I would never say that until you were going to leave, Jake. But you were--given your law background and your CPA background and just your good business sense--you truly did a great job as the Committee on Appropriations chair. And I want to personally thank you for all the time that you had to listen to me talking about public education and the time that you had to put up with Senator Martin and Senator Pittman about the State system. And you always listened to us intently; you always paid attention; and then you always brought us back to reality, and that was important because in the end, when it was all over, the children got more in public education, the State system got more, but it was brought within the confines of what we really had and what we could really do.

So, Pat, it was a personal honor to serve with you and to share our balcony; our offices are back-to-back over here on the other side of the building. And, of course, Pat would walk out on the balcony and take a break, and I would use that opportunity to grab

him and get into his ear a little once in a while, but mostly left him alone. So, Pat could not even escape that. But, Pat, it has been an honor to serve with you, and your legacy goes way beyond this room and the walls of this institution. It goes to every public school child, every State system, everybody in this Commonwealth who you really worked very, very hard for, not just in your district, but all over the State. So, Pat, congratulations on your retirement, and I am wishing you the best, and it was truly an honor to serve with you. God bless you.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Erie, Senator Laughlin.

Senator LAUGHLIN. Mr. President, those in this Chamber who have known me for a little while know that I do not stand up here and speak very often at least. So, you are welcome on that. I do not do Ps and Rs, but when my friend Pat Browne decided that it was time to leave the Senate, I felt that this might be an appropriate time to say thank you. Because, you see, when I ran for Senate, one of the biggest issues in my district was that the Erie School District was on the verge of financial collapse, and Senator Pat Browne--I just reminded him a few minutes ago--was my very first official meeting, and he took it before I was even sworn in. I think I was a Senator-elect for about 2 weeks, and Pat graciously agreed to meet with me and hear me out on the issues that we were having in my new district. And I will never forget that because, as Senator Hughes over here--I vent; sometimes Vince and I might not see eye to eye--but today, when he was talking about Pat Browne making a difference, Pat will be remembered in Erie as one of the people who helped me champion the funding that was necessary to rescue the city of Erie School District. And that made a difference in the lives of 11,000 children, and I know Pat did not do that alone. I had help from Senate Leadership; Senator Corman played a big role in that as well. But honestly, when we all leave this Chamber and wonder what we have done to make the lives of Pennsylvanians better, I can only hope that when I leave that people will think of me as, at least, as close to as fondly as we do of Pat Browne, and I thank you for your service, Pat. You have been a true friend to me in the Senate, and if you need anything, I am here to help as well. And I will also call on you for guidance. Thank you.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Haywood.

Senator HAYWOOD. Mr. President, I was elected to the State Senate in 2014, and many people shared with me that this place was not bipartisan, just split. But I thought I would test it and visit a few State Senators before I came to the Chamber. So, I reached out to Senator Pileggi and had an interesting meeting with him. Then I reached out to Pat Browne in the fall of 2014. He agreed to meet with me. I drove up to Allentown from Montgomery County for my first visit to Allentown. The drive was not too bad, and we had a long conversation about what it meant to be in the Senate; who were the folks with more and less influence. But the main thing I got out of that conversation with Senator Browne is that he was a demonstration that there was some bipartisanship in the General Assembly; that there were people not like me who would listen, pay attention, and be willing to have the conversations. And when I entered the Senate some months thereafter, Pat

Browne was the same man: still willing to be open, still willing to have conversations, still demonstrating bipartisanship.

For 4 years, we worked on something that we cannot today claim as an accomplishment, although we have heard so many of those accomplishments from Senator Browne. We attempted to get retirement savings plans adopted for our Commonwealth. But through all those 4 years, every conversation was open, strategic; what could be done; what was not possible; a path to take that might work; a path to take that was certainly not going to work. So, I am here to thank Pat Browne, not based upon the long list of accomplishments that we have already heard, but to thank him for who he is. I know, certainly, that your family has much to do with who you are. That is what I recognize today. Thank you so much.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Bucks, Senator Santarsiero.

Senator SANTARSIERO. Mr. President, serving "in the arena," as Teddy Roosevelt referred to it, can be a bruising business. And serving in a legislature like ours for a number of years, that bruising aspect of it can lead to a sense of cynicism that is particularly hard sometimes to overcome, particularly when you serve in the Minority. But then those moments occur when things happen: when truly impactful legislation has passed, when a budget that can actually change lives is enacted. When those things happen, it is a revelation almost like when you first see something as a child for the first time and you stand in awe of it. And when those instances occur, cynicism melts away and you are reminded why it is that you stood forward in the first place to put your name out in front of the public to ask for support to serve. And when I came to this body just 4 years ago, having served in the House for 8 years before that, I thought I had a pretty good idea of what it is that I would encounter. And when I asked to serve on the Committee on Appropriations--having done that previously in the House as well--I thought I had a pretty good idea of what that would be like, particularly serving in the Minority, but I was quickly disabused of that idea. I was quickly disabused of the creeping cynicism because when I encountered the Majority chair, I immediately saw that he was someone who not only dealt fairly with every Member, regardless of what letter they had next to their name, but that he valued the thoughts and ideas of every person serving on the committee. And moreover, that he welcomed the conversation and that he really wanted to be a partner with everyone, not merely to move the ball forward, but to actually do things that would have a positive impact on the people of Pennsylvania. And over these last 4 years serving on the Committee on Appropriations, I saw that over and over and over again. I saw it when I invited him, along with the other Committee on Appropriations chairs of the Senate and the House, to Bucks County to visit our Biotech Center and how he immediately saw the promise of what that offered and became a partner in trying to move forward those efforts, not just there, but in the Lehigh Valley and elsewhere in Pennsylvania. I saw it most remarkably, obviously in this last budget, which is a fitting capstone to his career in terms of the historic investments that it made in so many of the areas that we have spoken about already today. It is a gift to see things as they are because all too often, we do not. And when we do not, it makes it hard to create meaningful and necessary change. But it is even a greater gift, I believe, to see things

as they might be, as they should be. And in these last 4 years of serving with Pat Browne in the Committee on Appropriations and more generally here in the Senate, I have seen someone who has that former gift, that latter gift rather, of being able to see things as they should be, and not only see those things as they should be, but then actually work to make it happen. What greater legacy could there be for any of us serving in public life than that.

So, Pat, I want to thank you. I want to thank you for all that you have done. I want to thank you for the honor of being able to serve with you these last 4 years. And to echo some of my colleagues who spoke previously, I want to say I look forward to working with you in the future, because I know that you will, nonetheless, after leaving this place, still be involved and still have great desire to do things for the betterment of everyone in this great State of ours. Thank you.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Mensch.

Senator MENSCH. Mr. President, Senator Browne, it is a pleasure, it is an honor, to be able to stand here today and offer some comments on your retirement. Before I do, though, I want to give a shout out to--did Joe leave--the former President pro tempore, I wanted him to know that I listened to his lessons, and my car is sitting out front right now with the engine running, so, as I also get prepared to retire.

I see Pat's lovely wife, Heather, sitting here--a devoted, loving, very supportive wife. Now, my chief of staff happens to be best friends with Heather and with Pat. So, not all of your secrets are secrets, okay. But I only want to comment about the--I would ask Lisa: how is Heather doing? And she would refer to you as the budget widow. You know, Pat was really dedicated to providing the best product that he could for the Pennsylvania budget. It was not enough to have a good budget, he needed the best, and for that he spent an awful lot of time here working his job with his staff. His staff, an incredible group of dedicated people as well, but he could not have done it without a supportive wife, and that is you, Heather Browne, congratulations.

Let me talk a little bit about Pat's knowledge. You know, I had an opportunity in my corporate career for 3 years of teaching some graduate-level finance, and I thought I knew what I was talking about until I came here and met Pat Browne, and like Senator Kim Ward said earlier, you feel like you are on the moon and he is on the Earth when he is talking about finance and money matters. You are that far apart in your knowledge; it is a remarkable knowledge this man has, and it will really be missed in this legislature going forward. With all due respect to the other three Committee on Appropriations chairs, I think we can say Pat was the lead on the budget, and he has been for 8 years? Yes. And, you know, someone talked earlier about the deficit that we faced--I believe it was Senator Hughes--and he pulled us through all of that; and that was no easy task, and I do not think we want to look past that achievement. It was a remarkable achievement that all of us, as citizens of the State, have benefited from. I was able to have a couple of financial successes here legislatively, but nothing would have happened without Pat Browne's support. First, my idea of performance-based budgeting, and then most recently, the idea of dynamic modeling coming into the budget process. Pat, thank you for your support for that; you and I both appreciate that it will be an improvement in budgeting and in finance

management going forward. So, thank you very much for that, Pat. He did that all the time; you have heard Members talk about that--the support that he gave behind the scenes. He was always there for us when we had good financial ideas, but he always made them better because, honest to God, he knew a whole lot more.

I am going to talk a little bit about Allentown. I am a Montgomery County boy, upper end of Montgomery County, and Thursday nights was the night for going to Allentown; shops were open, stores were open until 9 o'clock. We had a bus service from our area in Montgomery County. Now, if it did not snow too much, and if it did not rain too much, if it was not too foggy, and if the bus did not break down, we actually got to Allentown to do some shopping. It was a remarkable environment, and I am talking about the fifties, the sixties, early seventies, it began to change as many urban retail situations began to change in the downtown of Allentown; it needed a lot of help. And one man came in and made the difference, and that was Pat Browne with his remarkable idea of the CRIZ. I have firsthand seen and witnessed the change in downtown Allentown being someone who lives so close to the center city. Pat, it is a remarkable renaissance that you have created, and you are to be congratulated for that.

Pat, I also, now that we are going to have some free time, I want to ride in big blue, okay? And in exchange for that, I will give you a ride in little red, okay? Pat has a passion for big engines. I understand, and I cannot wait to get a ride. Last thing I am going to talk about is railroads. Pat Browne and I share a real strong interest in American railroading and, in particular, in steam engines. So, recently, it was maybe January, February, I am not sure when, but we went to the Reading and Northern Railroad, Andy Muller's railroad up in Port Clinton, Pennsylvania, and we had a chance to ride in the engine of the largest operating steam engine east of the Mississippi. For those of you who understand railroad nomenclature steam engine, it is a 4-6-2, it is a huge engine. It took them several years to build this, several million dollars to refurbish it, and I am standing in the cabin. I am having a lot of fun, and I look at Pat, and all I see is this big grin. He is just enjoying himself, because there he is riding a steam engine; we are in the cab, we are right there with the engineer and with, the fireman. I have to tell you, because it is such a big engine, it was like a dancehall standing there watching all of this. It was remarkable. I think there were 10 or 12 of us standing in the steam engine. But it was a lot of fun and, again, watching Pat. So, Pat and I talk about railroads, and we talk about the different nomenclatures and the engines. And I thought I knew a little bit about the Reading history, the Pennsylvania history. Once again, Pat knew so much more than I did. I came out second best again, finance knowledge, railroad knowledge, and that is because Pat Browne is the best. Congratulations to you, Pat.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Monroe, Senator Scavello.

Senator SCAVELLO. Mr. President, Heather, I want to begin by echoing Bob Mensch's comments about you and what you mean to him. I started out in the House, like many of you know, and the first couple of years there, you know, you got 203 type A personalities--just imagine, here you have 50--203 type A personalities, and they all have their own things to say on the same issue and you say: well, you know, who do you listen to? Well, I have

got to tell you, I found out real early: listen to Pat Browne because he is not going to steer you wrong. And then, of course, he moves over to the Senate, and I lost him after 4 years. And what a pleasure it has been to work here in the Senate with Pat the last 8 years. Pat, one of the things that remind--nobody has mentioned, I do not think anybody has mentioned it--you held the budget up one year for Independent Fiscal Office and we got it the next year, which is so important. People did not realize how important it is to have that other neutral office, that independent office that can tell you which way you are going, and people listened; and for us anyway, I thought it was a tremendous victory for you. You know, Jake talked about Allentown, and I think I have said it to you many, many times that there should be a statue in Allentown because what you have done there. You know, I visited Allentown quite a bit, and what a difference in the growth in that city, and you say billions, you know, the jobs that are created, the new growth that has been created in the city, and it is going to continue to grow because of what you did there.

They talked about the early childhood program, and I know you care about kids; you did a phenomenal job for me. One of the things that I was very interested in was spinal cord research, and you helped me with that. I just want you to know that there are a lot of people who are going to be helped because I see, down the future, some tremendous work with spinal cords; something is going to come out and people with spinal cord injuries are going to be very, very impressed with what is happening, and you had a lot to do with it, and I thank you, my friend. You got an arena down there in Allentown that brings people in there every night for an event. Your legacy in Allentown is going to--and here also in this building--because when you speak, Pat, everybody listens. Thank you, my friend.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Allegheny, Senator Lindsey Williams.

Senator L. WILLIAMS. Mr. President, Senator Browne, I have not known you for nearly as long as some of my colleagues, and I have not worked with you as much, but I did have the honor of serving on the Special Ed Funding Commission with you. There were some potentially thorny issues to work through, but you and your staff were more than willing to work through them. The issues were approached with a carefulness and attention to detail that sometimes is not seen in this building. And at the end of the day, we were able to get to a set of recommendations that we could all agree on. I appreciate sincerely what you have done to fight for public education, and that will be sorely missed. Thank you.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, I will be brief, but as my career in the Senate has been brief compared to so many others who have been working with Pat for decades. And I was blessed when I was first elected in 2014 to have Senator Pat Browne come out to my district and do a presentation for my Washington County Chamber of Commerce, just on my behalf, and it was to bolster my credibility and give me some kudos, and they were very, very impressed, and I was extremely grateful for it. I remember not too long ago, really, Bill and I came out to Allentown and had a beautiful dinner with Pat and his lovely

wife, Heather, and we sat there in really what was a benefit of Pat's contribution, his hard work, and his programs that really changed that whole area. It was very impressive, and there were shoppers and there were great people at restaurants, and it just seemed to thrive. And that gave me hope, because out in my district, I do have like many, many others, several different areas that still are suffering quite a lot from the loss of our coal and steel industry. There is blight, and to know that there is a possibility that even if you are pushing rope uphill, eventually you get to the top. So, I was inspired by your dedication.

I also want to thank you so much, Pat, for helping get the film tax credit increased. We came at you for years, and I know that sometimes you would see him in the hallway and duck into whatever door might be open at the time, but I appreciate his examples and his recommendations on how to get it done. And because of his cooperation and encouragement and work with me on the film tax credit, we did increase it last year, and that is going to lead to an annual opportunity for a lot of our workers to stay in Pennsylvania, to work in Pennsylvania, to keep their families here. So, I am grateful for that. I am also very grateful for his help with workforce development and training programs in my district. Knowing how very important it is to keep people in Pennsylvania, give them an opportunity to learn new skills, and I am talking about a lot of our displaced coal miners down in Greene County. So, I am incredibly grateful for your help and support with that.

Lastly, it has been a heck of a long time since I graduated from college with a degree in business. So, dusting off that corner of my brain to listen to some of the terminology that Pat talks about--and I think I am about halfway rebuilding my "Pat to English" dictionary. So, it is unfortunate that we are going to be saying goodbye, but I truly do think that it would be very helpful if every single elected official was required to take at least economics 101. I think that would help the taxpayers quite a lot. And, lastly, I know that we tried to get you out to my district to see the Pennsylvania Trolley Museum, which has got over 150 different trolleys, and I know how much you like the rails, and that offer still stands. And the offer still stands for you to be an operator of one of the trolleys at the Pennsylvania Trolley Museum, and you will even get to see the streetcar named Desire, because they actually have that. But the offer still stands. I would love to host you and your beautiful wife to come on out to the district and enjoy a bit of history because you have made more than a bit of history in the Senate of Pennsylvania, and I am grateful for all of your work. Thanks, Pat.

(Applause.)

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, over the last few days, we have had the fortune, and I have had the fortune, of honoring a lot of longtime friends in this Chamber, but today's is going to probably be my most difficult. Pat Browne and I came into this building together 28 years ago in the House of Representatives. Governor Ridge was the Governor at the time, and the House was 102-101 Democrat; and then switched, and it became 102-101 Republican. Fun times. So, I was only in the Majority in my 28-year career, 1 day, you were there for 28. That is awesome. I always wonder if I ever get there, but I can tell you this, Pat, even if I do not, because we work so well together in the Lehigh Valley under five different governors, we have made that impact. You

have made me look effective in the Lehigh Valley, and something that I will treasure forever. I am going to say this, and I have said it time and time again in the Lehigh Valley--it is not an exaggeration--Senator Browne has been the most powerful, most effective leader in the Lehigh Valley who has been elected to date. He used his leadership position to help our communities, and they are thriving because of his leadership. He has an imprint on projects that have helped change the trajectory of Lehigh Valley and Northampton Counties and did so with little fanfare. For example, we would be at events together for projects he championed, and he would stand in the back, and I am like: Pat, you have to get up there; this project is a fruition because of you, you made this project happen. I am up here talking, but it is you that made it happen. And then he would get up there: okay, I guess I better say a few remarks (laughing).

Anyway, let us start with beloved Allentown. Pat has put that city on his back. The downtown is undergoing a remarkable renaissance, and the waterfront is just beginning to use the Neighborhood Improvement Zone, NIZ, tool. His willingness and ability to help find ways to help struggling Allentown, the school district, have been unparalleled and will never likely be replaced. From the NIZ was born the CRIZ, an economic incentive program that we worked together on in the city of Bethlehem, and it is starting to take its roots and impacts are starting to just be felt. And I remember that CRIZ legislation, Pat. For some reason Bethlehem was excluded from even applying because of population thresholds, and I am calling up Pat on the phone, like: hey, Pat, wait, you can help craft this legislation, let us change it because Bethlehem should be able to compete. You were the lone Republican in the room. You made sure that Bethlehem and other situated cities were included and were able to compete. This impact in the Lehigh Valley has been seen through your solid leadership. So, in the Lehigh Valley we have a NIZ and a CRIZ, all because of Pat Browne.

Back in 2004, when the casinos were first making their applications, both the city of Bethlehem and Allentown were competing for that casino. We knew where the casinos were going to go throughout the Commonwealth, it was only where was going to be the last one, Allentown or Bethlehem? It was a tug of war. You would think that the two Senators from that area would be fighting against each other, nope, we were helping to put a leadership team together from both counties and cities, with Pat's direction, to craft a revenue-sharing agreement that would benefit both cities. So, where that might have been in Bethlehem, and now we have the Sands Casino, we revenue-share with Allentown. It was the right thing to do, and also Easton, because we recognize: as Allentown grows stronger, Bethlehem grows stronger, Easton grows stronger, the Lehigh Valley benefits and gets stronger. That is solid leadership, Pat, that came from you. And then when the tourism fund, the original gaming legislation, was about to sunset, and not many people knew this at the time, you knew we had to advocate for dollars to go out of that fund into the Lehigh Valley, because that money was normally going to go to Philadelphia and Pittsburgh, and we thought it is about time it goes somewhere else in this State. It has to come to the Lehigh Valley. That was a huge win for the Lehigh Valley because Pat advocated for that. Pat understood, embraced, and he championed regionalism. He knows that we get much farther moving together, forward together, than we can ever do separately.

You never sought the limelight; you never did. Never needed quotes in the paper. You always seemed satisfied in the doing, not just the saying. That is a remarkable trait for an elected official. Whether it was RCAP, gaming funds, tax credits, Senator Browne always worked in collaboration with his colleagues, myself, from the Lehigh Valley, and made sure that the Lehigh Valley received its fair share of the pie. Something that rarely happened in the past in the Lehigh Valley. You are my colleague, you are my partner, but, most importantly, you are my friend. I am not certain that I even can appreciate the magnitude of the work you did behind the scenes to steer the ship of the Commonwealth finances. To fight for the needed dollars for the Lehigh Valley, and for your beloved hometown. You have had a remarkable career. I do not believe your story is over yet. There is still much work left to be done, and we both know that. And as far as Heather is concerned, she has been a solid true friend, I admire her. You together have been a remarkable team. And where Heather, you might say maybe Pat should take a little time off, maybe enjoy some well-deserved time, you know, reflection of the career that you have had; you are unable to remain idle. It is not in your guys' DNA.

So, I am going to be there with you all along, and we are going out to that dinner that we promised to do for the last 2 or 3 years. Pat, you are my friend, that is the most important thing. And as the Irish would say: "There are good ships and wood ships, ships that sail the sea, but the best ships are friendships, and may they always be." We are always going to be friends, Pat. And as you have heard today, a lot of people stood up, you have a lot of solid friendships in this building. So, there have been many ribbon cuttings, groundbreakings, and other significant ceremonies dedicated to the work you have accomplished. You have set the tone in the Lehigh Valley forever for how politics should operate, and that is operating together. Put your feet up a little bit, take stock in all that. You have made a difference, Pat Browne, my friend, Pat Browne, and the Lehigh Valley will always be proud of your solid leadership. Thank you.

(Applause.)

The PRESIDING OFFICER. One last round of applause for Pat Browne. Pat, stand up, and take a bow.

(Applause.)

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, we request a recess for a Democratic caucus in the rear of the Chamber.

The PRESIDING OFFICER. For purposes of Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

AFTER RECESS

The PRESIDENT pro tempore (Senator Jacob D. Corman III) in the Chair.

The PRESIDENT pro tempore. The time of recess having expired, the Senate will come to order.

LEGISLATIVE LEAVE

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, I request a temporary Capitol leave for Senator Yaw.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Fontana.

Senator FONTANA. Mr. President, no additional leaves.

The PRESIDENT pro tempore. Senator Kim Ward requests a temporary Capitol leave for Senator Yaw. Without objection, the leave will be granted.

RECESS

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations, followed by a meeting of the Committee on Labor and Industry.

The PRESIDENT pro tempore. For purposes of off-the-floor committee meetings, first the Committee on Appropriations to be held here on the Senate floor, then a meeting of the Committee on Labor and Industry to be held in the Rules room in the rear of the Chamber, without objection, the Senate stands in recess.

AFTER RECESS

The PRESIDENT pro tempore. The time of recess having expired, the Senate will come to order.

LEGISLATIVE LEAVE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I request a temporary Capitol leave for Senator Tomlinson.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, no further leaves.

The PRESIDENT pro tempore. Senator Gordner requests a temporary Capitol leave for Senator Tomlinson. Without objection, the leave will be granted.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 1 (Pr. No. 911) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for advertising and for mandate waiver program; in pupils and attendance, providing for transfer of attendance records to another school entity or nonpublic school; in terms and courses of study, further providing for agreements with institutions of higher education; in opportunities for educational excellence, further providing for definitions and for concurrent

enrollment agreements; in charter schools, further providing for definitions, for powers of charter schools, for charter school requirements and for powers of board of trustees, providing for duties of administrators, further providing for establishment of charter school, for contents of application, for term and form of charter, for State Charter School Appeal Board, for facilities, for enrollment, for school staff and for funding for charter schools, providing for fee prohibition, further providing for tort liability, for causes for nonrenewal or termination, for multiple charter school organizations, for provisions applicable to charter schools, for powers and duties of department, for cyber charter school requirements and prohibitions, for establishment of cyber charter school and for State Charter School Appeal Board review, providing for payments to cyber charter schools and further providing for applicability of other provisions of this act and of other acts and regulations; and, in educational tax credits, further providing for definitions, for qualification and application by organizations, for application by business firms, for tax credits, for limitations and for opportunity scholarships.

Without objection, the bill was passed over in its order at the request of Senator GORDNER.

Pursuant to Senate Rule 9, the bill was laid on the table.

BILLS OVER IN ORDER

HB 103, HB 118, HB 220, HB 324, SB 358, HB 365, HB 397, SB 492 and SB 822 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 875 (Pr. No. 2904) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in dissolution of marital status, further providing for decree of court.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-49

Argall	Dillon	Langerholc	Schwank
Aument	DiSanto	Laughlin	Stefano
Baker	Dush	Martin	Street
Bartolotta	Flynn	Mastriano	Tartaglione
Boscola	Fontana	Mensch	Tomlinson
Brewster	Gebhard	Muth	Vogel
Brooks	Gordner	Phillips-Hill	Ward, Judy
Browne	Haywood	Pittman	Ward, Kim
Cappelletti	Hughes	Regan	Williams, Anthony H.
Collett	Hutchinson	Robinson	Williams, Lindsey
Comitta	Kane	Santarsiero	Yaw
Corman	Kearney	Scavello	Yudichak
Costa			

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 956 (Pr. No. 1286) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania, providing that there is no right to abortion or funding for an abortion.

Without objection, the bill was passed over in its order at the request of Senator GORDNER.

Pursuant to Senate Rule 9, the bill was laid on the table.

BILLS OVER IN ORDER

HB 987, SB 1031, SB 1135, SB 1160, SB 1161, SB 1226, SB 1227, SB 1228, SB 1229 and SB 1317 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Mastriano has returned, and his temporary Capitol leave is cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1321 (Pr. No. 1980) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for imposition of tax and for taxability of estates, trusts and their beneficiaries.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-49

Argall	Dillon	Langerholc	Schwank
Aument	DiSanto	Laughlin	Stefano
Baker	Dush	Martin	Street
Bartolotta	Flynn	Mastriano	Tartaglione
Boscola	Fontana	Mensch	Tomlinson
Brewster	Gebhard	Muth	Vogel
Brooks	Gordner	Phillips-Hill	Ward, Judy
Browne	Haywood	Pittman	Ward, Kim
Cappelletti	Hughes	Regan	Williams, Anthony H.

Collett	Hutchinson	Robinson	Williams, Lindsey
Comitta	Kane	Santarsiero	Yaw
Corman	Kearney	Scavello	Yudichak
Costa			

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

HB 1486 and HB 1630 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL AMENDED

HB 1795 (Pr. No. 3513) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in general provisions relating to condominiums, further providing for definitions; in management of the condominium, further providing for executive board members and officers, for bylaws, for meetings and for voting and proxies; in general provisions relating to cooperatives, further providing for definitions; in creation, alteration and termination of cooperatives, further providing for master associations; in management of cooperatives, further providing for bylaws, for meetings and for voting and proxies; in general provisions relating to planned communities, further providing for definitions; in creation, alteration and termination of planned communities, further providing for master associations; and, in management of planned community, further providing for bylaws, for meetings and for voting and proxies.

On the question,

Will the Senate agree to the bill on third consideration?

PITTMAN AMENDMENT A5788 AGREED TO

Senator PITTMAN offered the following amendment No. A5788:

Amend Bill, page 1, line 6, by inserting after "meetings":
 , for quorums
 Amend Bill, page 1, line 10, by inserting after "meetings":
 , for quorums
 Amend Bill, page 1, line 16, by inserting after "meetings":
 , for quorums
 Amend Bill, page 2, line 6, by striking out "declarant or"
 Amend Bill, page 2, lines 10 and 11, by striking out "**AND SPECIALIZES IN CONDOMINIUMS OR REAL ESTATE LAW**"
 Amend Bill, page 2, line 14, by striking out "a" where it occurs the second time and inserting:
the
 Amend Bill, page 2, line 16, by striking out "a" where it occurs the second time and inserting:
the
 Amend Bill, page 2, line 18, by striking out "a" and inserting:
the
 Amend Bill, page 3, lines 10 through 30; page 4, lines 1 through 5; by striking out all of said lines on said pages
 Amend Bill, page 4, lines 29 and 30, by striking out "**If a third-party vendor conducts the election, the**" and inserting:
The
 Amend Bill, page 5, lines 3 through 6, by striking out "**The executive**" in line 3, all of lines 4 and 5 and "**conducts the election.**" in line 6

Amend Bill, page 5, lines 8 through 12, by striking out all of lines 8 through 11 and "**owner's vote.**" in line 12 and inserting:
accordance with the approved methods of voting as provided in this subpart.

Amend Bill, page 5, lines 16 and 17, by striking out all of said lines and inserting:

a vote of at least 51% of the votes collected from the unit owners in person, electronically or by absentee ballot which are in favor of the requirements under this paragraph.

Amend Bill, page 5, line 27, by inserting after "**considered**":

, as provided under section 4303(g) (relating to executive board members and officers)

Amend Bill, page 5, line 28, by striking out "and 3308" and inserting:

, 3308 and 3309(a)

Amend Bill, page 6, lines 12 and 13, by striking out "vote by proxy"

Amend Bill, page 6, lines 15 through 17, by striking out "**collected**" in line 15, all of line 16 and "**absentee ballot WHICH ARE IN FAVOR OF THE AMENDMENT**" in line 17 and inserting:

in the association are allocated

Amend Bill, page 6, line 24, by inserting after "**meeting**":

and following notice to the unit owners

Amend Bill, page 6, line 28, by striking out "within five days after" and inserting:

by the commencement of

Amend Bill, page 7, line 2, by striking out "**In-person association meetings**" and inserting:

Timing and notice

Amend Bill, page 7, line 3, by striking out "**in-person**"

Amend Bill, page 7, line 13, by striking out the bracket before "any"

Amend Bill, page 7, line 13, by striking out "]" an in-person

Amend Bill, page 7, lines 19 through 30; page 8, lines 1 through 5; by striking out all of said lines on said pages and inserting:

(b) Delivery of notice.--The bylaws must require that notice of virtual meetings of the association be given by:

(1) First class or express mail, postage prepaid, or courier service, charges prepaid, to the mailing address of each unit or to any other mailing address designated in writing by the unit owner. Notice under this paragraph shall be deemed to have been given to a unit owner when deposited in the United States mail or with a courier service for delivery to the unit owner.

(2) Facsimile transmission, e-mail or other electronic communication to the unit owner's facsimile number or address for e-mail or other electronic communications supplied by the unit owner, provided that the unit owner has agreed in writing to accept the notice by electronic means or where the bylaws expressly permit means of delivering electronic notice. Notice under this paragraph shall be deemed to have been given to the unit owner when sent.

Amend Bill, page 8, line 6, by striking out "(b)" and inserting:

(c)

Amend Bill, page 8, lines 13 through 28, by striking out all of said lines and inserting:

(d) Pre-election sessions.--The bylaws must require that, in the event that there are more candidates than open positions on the executive board, then, upon request of one or more of the candidates, the association shall hold a special session at least seven days before the election of an executive board member to allow the unit owners to meet each candidate for an executive board position. Each candidate for an executive board position shall have equal time to address the unit owners during a special session under this subsection.

(e) Recorded meeting.--Unless the bylaws provide otherwise, meetings of the association may be recorded by the executive board via audio or video technology, provided that an announcement is made by the presiding officer at the commencement of the meeting that the meeting will be recorded. A recorded meeting under this subsection shall be maintained and available to unit owners for a period of no less than six months after the date of the meeting.

§ 3309. Quorums.

(a) Association.--

(1) Unless the bylaws provide otherwise, a quorum is deemed present throughout any meeting of the association if persons entitled to cast 20% of the votes which may be cast for election of the executive board are present in person or by proxy at the beginning of the

meeting. The bylaws may require a larger percentage or a smaller percentage not less than 10%.

(2) If the association fails to meet a quorum at two subsequent meetings under this subsection, the association may utilize the provisions under 15 Pa.C.S. § 5756(b) (relating to quorum) to meet quorum requirements, except as otherwise provided in the declaration or bylaws of the association.

* * *

Amend Bill, page 10, line 21, by striking out "declarant or"

Amend Bill, page 10, lines 25 and 26, by striking out "SPECIALIZ-
ING IN COOPERATIVE OR REAL ESTATE LAW"

Amend Bill, page 10, line 30, by striking out "a" and inserting:
the

Amend Bill, page 11, line 3, by striking out "a" and inserting:
the

Amend Bill, page 11, line 5, by striking out "a" and inserting:
the

Amend Bill, page 11, lines 26 and 27, by striking out "If a third-party vendor conducts the election, the" and inserting:

The

Amend Bill, page 12, lines 1 through 3, by striking out "The executive board shall ensure that" in line 1, all of line 2 and "the third-party vendor that conducts the election," in line 3

Amend Bill, page 12, lines 5 through 9, by striking out "either an electronic or a paper" in line 5, all of lines 6 through 8 and "to submit the proprietary lessee's vote," in line 9 and inserting:

accordance with the approved methods of voting as provided under this subpart.

Amend Bill, page 12, line 18, by striking out "(6) and 4308" and inserting:

(6), 4308 and 4309(a)

Amend Bill, page 13, lines 10 and 11, by striking out ", VOTE BY PROXY"

Amend Bill, page 13, lines 13 through 15, by striking out "COLLECTED" in line 13 and all of lines 14 and 15 and inserting:

in the association are allocated.

Amend Bill, page 13, line 22, by inserting after "meeting":

and following notice to the unit owners

Amend Bill, page 13, line 27, by striking out "within five days after" and inserting:

by the commencement of

Amend Bill, page 13, line 30, by striking out "In-person association meetings.--An in-person" and inserting:

Timing and notice.--A

Amend Bill, page 14, lines 20 through 30; page 15, lines 1 through 8; by striking out all of said lines on said pages and inserting:

(b) Delivery of notice.--The bylaws must require that notice of virtual meetings of the association be given by:

(1) First class or express mail, postage prepaid, or courier service, charges prepaid, to the mailing address of each unit or to any other mailing address designated in writing by the proprietary lessee. Notice under this paragraph shall be deemed to have been given to a proprietary lessee when deposited in the United States mail or with a courier service for delivery to the proprietary lessee.

(2) Facsimile transmission, e-mail or other electronic communication to the proprietary lessee's facsimile number or address for e-mail or other electronic communications supplied by the proprietary lessee, provided that the unit owner has agreed in writing to accept the notice by electronic means or where the bylaws expressly permit means of delivering electronic notice. Notice under this paragraph shall be deemed to have been given to the proprietary lessee when sent.

Amend Bill, page 15, line 9, by striking out "(b)" and inserting:

(c)

Amend Bill, page 15, lines 16 through 30; page 16, line 1; by striking out all of said lines on said pages and inserting:

(d) Pre-election sessions.--The bylaws must require that, in the event that there are more candidates than open positions on the executive board, then, upon request of one or more of the candidates, the association shall hold a special session at least seven days prior to the election of an executive board member to allow the proprietary lessees to meet each candidate for an executive board position. Each candidate for an

executive board position shall have equal time to address the proprietary lessees during a special session under this subsection.

(e) Recorded meeting.--Unless the bylaws provide otherwise, meetings of the association may be recorded by the executive board via audio or video technology, provided that an announcement is made by the presiding officer at the commencement of the meeting that the meeting will be recorded. A recorded meeting under this subsection shall be maintained and available to proprietary lessees for a period of no less than six months after the date of the meeting.

§ 4309. Quorums.

(a) Association.--

(1) Unless the bylaws provide otherwise, a quorum is deemed present throughout any meeting of the association if persons entitled to cast 20% of the votes which may be cast for election of the executive board are present in person or by proxy at the beginning of the meeting. The bylaws may require a larger percentage or a smaller percentage not less than 10%.

(2) If the association fails to meet a quorum at two subsequent meetings under this subsection, the association may utilize the provisions under 15 Pa.C.S. § 5756(b) (relating to quorum) to meet quorum requirements, except as otherwise provided in the declaration or bylaws of the association.

* * *

Amend Bill, page 17, line 22, by striking out "declarant or"

Amend Bill, page 17, lines 26 and 27, by striking out "SPECIALIZ-
ING IN PLANNED COMMUNITY OR REAL ESTATE LAW"

Amend Bill, page 18, line 1, by striking out "a" and inserting:

the

Amend Bill, page 18, line 4, by striking out "a" and inserting:

the

Amend Bill, page 18, line 6, by striking out "a" and inserting:

the

Amend Bill, page 18, line 29, by striking out "If a third-party vendor conducts the election, the" and inserting:

The

Amend Bill, page 19, lines 3 through 5, by striking out "The executive board shall ensure" in line 3 and all of lines 4 and 5

Amend Bill, page 19, lines 7 through 11, by striking out "either an electronic or" in line 7, all of lines 8 through 10 and "submit the unit owner's vote," in line 11 and inserting:

accordance with the approved methods of voting as provided under this subpart.

Amend Bill, page 19, line 20, by striking out "(6) and 5308" and inserting:

(6), 5308 and 5309(a)

Amend Bill, page 20, lines 4 and 5, by striking out ", vote by proxy"

Amend Bill, page 20, lines 7 through 9, by striking out "collected" in line 7, all of line 8 and "absentee ballot ARE IN FAVOR OF THE AMENDMENT" in line 9 and inserting:

in the association are allocated

Amend Bill, page 20, line 17, by inserting after "meeting":

and following notice to the unit owners

Amend Bill, page 20, line 21, by striking out "within five days after" and inserting:

by the commencement of

Amend Bill, page 20, line 25, by striking out "In-person association meetings" and inserting:

Timing and notice

Amend Bill, page 20, line 26, by striking out "in-person"

Amend Bill, page 21, lines 12 through 28, by striking out all of said lines and inserting:

(b) Delivery of notice.--The bylaws must require that notice of virtual meetings of the association be given by:

(1) First class or express mail, postage prepaid, or courier service, charges prepaid, to the mailing address of each unit or to any other mailing address designated in writing by the unit owner. Notice under this paragraph shall be deemed to have been given to an unit owner when deposited in the United States mail or with a courier service for delivery to the unit owner.

(2) Facsimile transmission, e-mail or other electronic communication to the unit owner's facsimile number or address for e-mail or other electronic communications supplied by the unit owner, provided that the unit owner has agreed in writing to accept the notice

by electronic means or where the bylaws expressly permit means of delivering electronic notice. Notice under this paragraph shall be deemed to have been given to the unit owner when sent.

Amend Bill, page 21, line 29, by striking out "(b)" and inserting:

(c)

Amend Bill, page 22, lines 6 through 21, by striking out all of said lines and inserting:

(d) Pre-election sessions.--The bylaws must require that, in the event that there are more candidates than open positions on the executive board, then, upon request of one or more of the candidates, the association shall hold a special session at least seven days before the election of an executive board member to allow the unit owners to meet each candidate for an executive board position. Each candidate for an executive board position shall have equal time to address the unit owners during a special session under this subsection.

(e) Recorded meeting.--Unless the bylaws provide otherwise, meetings of the association may be recorded by the executive board via audio or video technology, provided that an announcement is made by the presiding officer at the commencement of the meeting that the meeting will be recorded. A recorded meeting under this subsection shall be maintained and available to unit owners for a period of no less than six months after the date of the meeting.

§ 5309. Quorums.

(a) Association.--

(1) Unless the bylaws provide otherwise, a quorum is present throughout any meeting of the association if persons entitled to cast 20% of the votes which may be cast for election of the executive board are present in person or by proxy at the beginning of the meeting. The bylaws may require a larger percentage or a smaller percentage not less than 10%.

(2) If the association fails to meet a quorum at two subsequent meetings under this subsection, the association may utilize the provisions under 15 Pa.C.S. § 5756(b)(relating to quorum) to meet quorum requirements, except as otherwise provided in the declaration or bylaws of the association.

On the question,

Will the Senate agree to the amendment?

POINT OF ORDER

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lancaster, Senator Martin.

Senator MARTIN. Mr. President, I rise to seek a ruling from the Chair under Rule 20(c) as to whether I can vote on both House Bill No. 1795 and the current amendment. My wife and I own a property management company, and because House Bill No. 1795 will affect all homeowners' associations, I am seeking a ruling from the Chair as to whether or not I am permitted to vote on this legislation, which pertains to requirements of condominiums, cooperatives, and planned communities. I will not receive a financial benefit from this legislation.

The PRESIDENT pro tempore. The Chair thanks the gentleman for his inquiry about the conflict of interest in the factual situation just given. The Chair would rule that there is no conflict of interest and that in accordance with Senate Rule 20(c), the Senator must vote on House Bill No. 1795 and its amendment for two reasons. First, the Chair finds that the gentleman is a member of a class of individuals who may or may not be affected by any actions of House Bill No. 1795 or its amendment. And second, the Chair does not find that any votes the gentleman may cast will be particularly personal to Senator Martin or privately affect Senator Martin alone. So, he must vote on both the amendment and the bill.

And the question recurring,
Will the Senate agree to the amendment?
It was agreed to.

On the question,

Will the Senate agree to the bill on third consideration, as amended?

FONTANA AMENDMENT A5771 OFFERED

Senator FONTANA offered the following amendment No. A5771:

Amend Bill, page 1, line 2, by inserting after "Statutes,":
providing for municipal claim and tax lien law;

Amend Bill, page 1, line 14, by striking out "and,"

Amend Bill, page 1, line 16, by inserting after "PROXIES":
; and making a related repeal

Amend Bill, page 1, lines 19 and 20, by striking out all of said lines and inserting:

Section 1. Title 68 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

CHAPTER 25

MUNICIPAL CLAIM AND TAX LIEN LAW

Sec.

2501. Short title.

2502. Definitions.

2503. Local taxes, a first lien and date.

2504. Claims assessment.

2505. Liens.

2506. Real estate subject to tax and municipal claims.

2507. Donation of property.

2508. Multiple owners.

2509. Highway footways.

2510. Written notice.

2511. Time and place for filing, liability, interest, form, contents, appeals from assessments, indexing, revival and order fixing amount.

2512. Contents of claim, signature, county taxes, levies or assessments and affidavits of use-plaintiff.

2513. Property included in claims and payment of portion.

2514. Intervening or substituted defendants.

2515. Separate and distinct properties and apportionment of charge.

2516. Petition of defendant, payment into court, affidavit, rule, decree and jury trial.

2517. Time of lien.

2518. Scire facias.

2519. Form of scire facias.

2520. Duties of sheriff.

2521. Judgment for want of affidavit of defense, assessment of damages, rule for judgment and reply.

2522. Evidence, compulsory nonsuit, verdict and attorney fee.

2523. Scire facias to revive judgment, form and fee for additional names.

2524. Service of scire facias to revive judgment and procedure.

2525. Judgment for plaintiff and costs.

2526. Sequestrator and supersedeas.

2527. Dockets.

2528. Locality index, unpaid tax list and consumer reporting agencies.

2529. Stay of proceedings.

2530. Execution of judgment.

2531. Price and requirements of sale.

2532. Property of quasi-public corporations.

2533. Sale of property subject to lien of tax or municipal claims.

2534. Counties of the first class, recovery of judgment and sale free from claims.

2535. Cities of the first class, recovery of judgment and sale free from claims.

2536. Joining, service and sale.

2537. Redemption.

2538. Assignment and payment.

2539. Amendments and timing.

2540. General conduct.

2541. Service of notice.

2542. Security.

2543. Use-plaintiffs.

2544. Notice of interest, registration and service.

2545. Rule to show cause, decree, service and notice.

2546. Validity of sale and time for filing contest.

2547. Cities of first class, time for proceeding on claims and preclusion of sale for undue hardship.

2548. Procedures available to tax claim bureaus.

2549. Disposition of property acquired by cities of the second class.

§ 2501. Short title.

This chapter shall be known and may be cited as the Municipal Claim and Tax Lien Law.

§ 2502. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Charges, expenses and fees." Includes, but is not limited to, the following:

(1) Sums paid or incurred by a municipality to file, preserve and collect unpaid taxes, tax claims, tax liens, municipal claims and municipal liens, including, but not limited to, prothonotary and sheriff fees, postage expenses and title search expenses.

(2) Charges, expenses, commissions and fees of third-party collectors retained by a county, city, borough, incorporated town, township, school district or municipal authority when attempted to be recovered by the county, city, borough, incorporated town, township, school district or municipal authority that retained the third-party collector. The charges, expenses, commissions and fees of the third-party collectors must have been approved by legislative action of the county, city, borough, incorporated town, township, school district or municipal authority that levies the unpaid taxes, tax claims, tax liens, municipal claims and municipal liens.

"Claimant." The plaintiff or use-plaintiff in whose favor a claim is filed as a lien.

"Contractor." An individual who, under contract with a plaintiff, performed the work for which a lien is given.

"Highway." The whole or any part of a public street, road, lane or alley or other public highway.

"Municipal claim." Any of the following:

(1) A claim resulting from a tax assessed, service supplied, work done or improvement authorized and undertaken by a municipality. It is not required for the amount of the claim to be definitively ascertained, nor have a lien filed, at the time of filing the claim. A lien shall be filed within the period of time and in the manner provided under this chapter.

(2) A claim filed to recover for any of the following:

(i) Grading, guttering, macadamizing or otherwise improving the cartways of a highway.

(ii) Grading, curbing, recurbing, paving, repaving, constructing or repairing the footways of any highway.

(iii) Laying water pipes, gas pipes, culverts, sewers, branch sewers or sewer connections in a highway.

(iv) Assessments for benefits in the opening, widening or vacation of a highway.

(v) Changing of watercourses or the construction of sewers through private lands.

(vi) Highways of townships of the first class.

(vii) Acquisition of sewers and drains constructed and owned by individuals or corporations, and the rights in and to use the sewers and drains.

(viii) Removal of nuisances.

(ix) Water rates, lighting rates or sewer rates.

(3) A claim filed to recover for work, material or services rendered or furnished in the construction, improvement, maintenance or operation of a project undertaken by a municipality. The municipal claim shall include all penalties, interest, costs, fines, charges, expenses and fees, including reasonable attorney fees, as allowed under this chapter and all other applicable laws.

"Municipality." A county, city, borough, incorporated town, township, school district or body politic and corporate, or an assignee, created as a municipal authority pursuant to law.

"Owner." The individual in whose name property is registered, if registered according to law. If not registered according to law, an individual in open, peaceable and notorious possession of the property, as apparent owner of the property, if any, or the reputed owner of the property in the neighborhood in which property is located.

"Property." The real estate subject to a lien and against which a claim is filed as a lien.

"Tax claim." A claim filed to recover taxes.

"Taxes." A tax imposed by or assessed for any of the following, including any penalty, interest, cost, charge, expense or fee, including reasonable attorney fees, connected to the tax:

(1) County of any class.

(2) City of any class.

(3) Borough of any class.

(4) Incorporated town.

(5) Township.

(6) School district.

(7) Bridge.

(8) Road.

(9) Poor taxes.

§ 2503. Local taxes, a first lien and date.

(a) General rule.--All taxes imposed or assessed on any property in this Commonwealth are declared to be a first lien on the property, together with all charges, expenses and fees added for failure to pay promptly.

(b) Priority of lien.--A first lien under subsection (a) shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of the property before any other obligation, judgment, claim, lien or estate with which the property may become charged or for which it may become liable, save and except only the costs of the sale and of the writ upon which the sale is made.

§ 2504. Claims assessment.

(a) Lien declaration.--

(1) All municipal claims, municipal liens, taxes, tax claims and tax liens imposed or assessed on a property in this Commonwealth, and all prior claims imposed or assessed within six months before the passage of this chapter and not yet liened, shall be declared to be a lien on the property, together with all charges, expenses and fees incurred in the collection of any delinquent account, including reasonable attorney fees under subsection (a.1), added for failure to pay promptly. All municipal claims and municipal liens shall arise when lawfully imposed and assessed and shall have priority to and be fully paid and satisfied out of the proceeds of a judicial sale of the property, before any other obligation, judgment, claim, lien or estate with which the property may become charged, or for which it may become liable, save and except only the costs of the sale and of the writ upon which it is made, and the taxes, tax claims and tax liens imposed or assessed upon the property.

(2) A claim for property taxes that has been reduced to judgment shall be enforceable as a lien against real property in the same manner and to the same extent as a judgment for money under the generally applicable laws of this Commonwealth. For purposes of this paragraph, "reduced to judgment" means a claim rendered absolute under section 311 of the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, and those given the effect of a judgment in accordance with this chapter.

(3) Notwithstanding any other provision of law, when a judgment or lien under this section is reduced or satisfied by payment or a sale of the property, the judgment creditor shall notify the tax claim bureau or prothonotary where the original tax claim is docketed and shall enter the satisfaction in the office of the clerk of the court in the county where the judgment is outstanding. No tax claim shall be subject to additional interest as a result of enforcement as a judgment lien under paragraph (2).

(4) A judgment lien under this subsection shall exist separate and apart from the tax lien.

(5) Nothing in this subsection shall be construed as affecting other remedies available to a municipality for collection of a tax or the priority or amount of a tax lien.

(a.1) Attorney fees.--It is not the intent of this section to require owners to pay, or municipalities to sanction, inappropriate or unreasonable attorney fees, charges or expenses for routine functions. Attorney fees incurred in the collection of a delinquent account, including a municipal claim, municipal lien, tax, tax claim and tax lien, shall be in an amount sufficient to compensate attorneys undertaking collection and representation of a municipality or its assignee in any actions in law or equity involving claims arising under this chapter. A municipality by ordinance, or by resolution if the municipality is of a class that does not have the power to enact an ordinance, shall adopt the schedule of attorney fees. Where attorney fees are sought to be collected in connection with the collection of a delinquent account, including a municipal claim, municipal lien, tax, tax claim and tax lien, the owner may petition the court of common pleas in the county where the property subject to the municipal claim and lien, tax claim and lien or tax is located to adjudicate the reasonableness of the attorney fees imposed. In the event that there is a challenge to the reasonableness of the attorney fees imposed in accordance with this section, the court shall consider, but not be limited to, the following:

(1) The time and labor required, the novelty and difficulty of the questions involved and the skill requisite to properly undertake collection and representation of a municipality.

(2) The customary charges of the members of the bar for similar services.

(3) The amount of the delinquent account collected and the benefit to the municipality from the services.

(4) The contingency or the certainty of the compensation.

(a.2) Duplication of attorney fees.--If attorney fees are awarded under any provision of law, the municipality shall not be entitled to duplicate recovery of attorney fees under this section.

(a.3) Notice.--The notice shall be as follows:

(1) At least 30 days prior to assessing or imposing attorney fees in connection with the collection of a delinquent account, including a municipal claim, municipal lien, tax, tax claim and tax lien, a municipality shall, by United States certified mail, return receipt requested, postage prepaid, mail to the owner the notice required by this subsection.

(2) If, within 30 days of mailing the notice in accordance with paragraph (1), the certified mail is refused or unclaimed or the return receipt is not received, then at least 10 days prior to assessing or imposing attorney fees in connection with the collection of a delinquent account, a municipality shall, by United States first class mail, mail to the owner the notice required by this subsection.

(3) The notice required by this subsection shall be mailed to the owner's last known post office address by virtue of the knowledge and information possessed by the municipality and by the county office responsible for assessments and revisions of taxes. The municipality shall determine the owner's last post office address known to the collector and county assessment office.

(4) The notice to the owner shall include the following:

(i) A statement of the municipality's intent to impose or assess attorney fees within 30 days of mailing the notice under paragraph (1) or within 10 days of the mailing of the notice under paragraph (2).

(ii) The manner in which the imposition or assessment of attorney fees may be avoided by payment of the delinquent account.

(b) City of first class provision.--With the exception of those claims that have been assigned, a municipal claim, municipal lien, tax, tax claim or tax lien, including interest, penalty and costs, imposed by a city of the first or second class or by a county of the second class or by a municipality within a county of the second class, shall be a judgment only against the property when the lien has been docketed by the prothonotary. The docketing of the lien shall be given the effect of a judgment against the property only with respect to which the claim is filed as a lien. The prothonotary shall maintain an in rem index, the form and location of which shall be within the prothonotary's discretion. All tax claims, water rents or rates, lighting rates, power rates and sewer rates filed prior are ratified, confirmed and made valid subsisting liens as of the date of their original filing.

(c) Writ of execution.--A writ of execution may issue directly without prosecution to judgment of a writ of scire facias. Any property sold in execution shall be sold in compliance with the provisions of section

2535 (relating to cities of the first class, recovery of judgment and sale free from claims).

(d) Filing date provision.--Attorney fees may be imposed and collected in accordance with this section upon all taxes, tax claims, tax liens, municipal claims, municipal liens, writs of scire facias, judgments or executions filed on or after December 19, 1990.

§ 2505. Liens.

The following shall apply:

(1) The lien for taxes shall exist in favor of, and the claim may be filed against the property taxed by, a municipality to which the tax is payable.

(2) The lien for the removal of nuisances shall exist in favor of, and the claim may be filed against the property from which the nuisance is removed, or by which the nuisance is caused, by a municipality by or for which the nuisance is removed.

(3) The lien for the following:

(i) grading, guttering, paving, macadamizing or otherwise improving the cartways of any highways;

(ii) grading, curbing, recurbing, paving, repaving, constructing or repairing footways;

(iii) laying water pipes, gas pipes, culverts, sewers, branch sewers or sewer connections in a highway;

(iv) assessments for benefits in the opening, widening or vacation of a highway;

(v) changing of watercourses or construction of sewers through private lands;

(vi) highways of townships of the first class;

(vii) acquisition of sewers and drains constructed and owned by individuals or corporations, and of rights in and to use the sewers and drains; and

(viii) water rates, lighting rates, sewer rates or rates for any other service furnished by a municipality;

shall exist in favor of, and the claim may be filed against the property benefited by, the municipality extending the benefit or the city, borough or township in which the property is located, if the work, material or service forming the basis of the lien was supplied by a municipal authority organized by a city of the second class, by a county of the second class or by a city of the third class and the liens or the claim has been assigned to it.

(4) Municipal authorities organized by cities of the second class, by counties of the second class or by cities of the third class are authorized to assign municipal claims and liens to the city, borough or township in which the property subject to the lien is located, and cities, boroughs and townships in which the property is located are authorized to purchase the lien. Upon the assignment or purchase, the city, borough or township acquiring the municipal claim or lien shall have the same rights as if it had supplied the work, material or service upon which the municipal claim or lien is based.

(5) When the contractor performing the work is to be paid by assessment bills, the lien shall exist for, and the claim shall be filed to, the contractor's use, and the contractor shall under no circumstances have recourse to the municipality authorizing the work.

§ 2506. Real estate subject to tax and municipal claims.

(a) Rule.--Except as provided under subsection (b), real estate shall be subject to tax and municipal claims as provided under this chapter.

(b) Exceptions.--

(1) Subsection (a) shall not apply to property owned by the United States or the Commonwealth.

(2) Except for the removal of nuisances, for sewer claims and sewer connections or for the curbing, recurbing, paving, repaving or repairing of footways in front of nuisances, sewer claims and sewer connections, subsection (a) shall not apply to the following property, if exempt from taxation:

(i) Property owned by a county, city or other municipality or municipal division.

(ii) Actual places of religious worship.

(iii) Places of burial not held or used for private or corporate profit.

(iv) Institutions of purely public charity.

(3) Nothing under this chapter shall prohibit a municipality from providing that municipal work may be done at the expense of the public generally and be paid out of the general funds of the municipality.

§ 2507. Donation of property.(a) Acceptance.--

(1) A county, city, borough, incorporated town, township, home rule municipality, optional plan municipality or optional charter municipality may accept the donation of property that is subject to a claim for taxes. A municipal authority, other than a redevelopment authority, or a school district may participate in a donation under subsection (g).

(2) A municipality shall provide written notice to local municipalities or the municipality's designees under subsection (f) of a donation proposed by the owner of the property. A donation under this subsection may not be accepted less than 30 days after notice to each other municipality which has a claim for taxes on the subject property under this chapter. A donation under this subsection shall divest each lien against the property possessed by the municipality accepting the donation and each local tax lien recorded prior to the date of donation, except as otherwise provided under this section and except for a mortgage recorded prior to the tax liens.

(b) Participation.--

(1) A municipality that receives a notice of proposed donation may request to participate in negotiations with regard to the donation and extinguishment of all or part of the municipality's liens and with regard to proposals to return the property to the tax rolls or to productive public use. A municipality that does not respond in writing to the notice within 30 days of the municipality's receipt of the notice waives the municipality's right to participate in the donation negotiations and the municipality's lien shall be extinguished.

(2) A municipality participating in donation negotiations may agree to extinguish each existing lien against the property in exchange for full or partial satisfaction of the municipality's claims upon future sale of the property by the municipality accepting the donation.

(3) Each negotiation must consider the structure and condition of the property, the market value of the property in its current condition, the best use of the property given the neighborhood and local ordinances and the costs to cure defects, including defects in title.

(c) Deed.--

(1) A donation under this subsection shall be by deed recorded, and registered where required with the county recorder of deeds. The deed shall be accompanied by recorded satisfactions of each claim for taxes which are extinguished by virtue of the donation.

(2) The satisfaction from the municipality which is accepting ownership of the property pursuant to the donation shall provide for full extinguishment of each claim possessed by the municipality under this chapter. A satisfaction of liens shall provide that each claim of each municipality in which the property is located is discharged and extinguished, unless different terms are agreed upon between the owner and the municipalities participating in the donation negotiations.

(d) Exemption.--Property that has been donated under this section shall be exempt from claims for taxes from each municipality in which the property is located during the time that the property remains in the ownership of the county, city, borough, incorporated town, township, home rule municipality, optional plan municipality, optional charter municipality, redevelopment authority or school district to which the property was donated.

(e) Nonliability.--Notwithstanding any other provision of law, an owner who donates property under this section shall not be personally liable for the amount of claims for taxes exempted or extinguished as a result of the donation.

(f) Agent.--

(1) A county, city, borough, incorporated town, township, home rule municipality, optional plan municipality or optional charter municipality in which the property is located may designate another municipality, or a redevelopment authority in which the property is located to act as its agent with regard to a donation under this section.

(2) A single municipality or the redevelopment authority may be selected as the agent for all municipalities holding a tax claim or lien. In returning the property to the tax rolls or to productive public use, a municipality or a redevelopment authority may seek the assistance of a community development corporation serving the area where the property is located.

(g) School district or municipal authority.--A school district or municipal authority, other than a redevelopment authority, may participate in the provisions of this section only if the school district or municipal authority has designated an agent in accordance with subsection (f). Nothing under this subsection shall prevent a school district or municipal authority from taking title to a donated property if it is determined during negotiations that the best manner to return the property to productive use is to allow a school district or municipal authority to use the property for purposes directly related to the mission of the district or authority.

§ 2508. Multiple owners.

(a) Proportionate share of tax.--If real estate in this Commonwealth is owned by joint tenants, tenants in common or coparceners and a joint tenant, tenant in common or coparcener has paid their proportionate amount of the taxes due on the real estate, a municipality may file a claim for the unpaid taxes against the estate, title and interest of each owner who has not paid their proportionate share of the tax.

(b) Release of proportionate share of tax.--If a claim for taxes has been filed against real estate owned by joint tenants, tenants in common or coparceners, the claimant shall release the estate, title and interest of each joint tenant, tenant in common or coparcener from the tax claim, upon payment by the joint tenant, tenant in common or coparcener of their proportionate share of the taxes, with proportionate interest and costs.

(c) Exempt property.--If property in this Commonwealth is owned by more than one owner or part owner and the estate and title of an owner or part owner is exempt from or has not been subjected to taxation or municipal claims, the estate and title of each owner or part owner which is not exempt from or which has been subjected to taxation or municipal claims shall be subject to the tax and municipal claims provided for under this chapter. Property subject to tax and municipal claims under this subsection shall be subject as any other real property liable to assessment for taxes and municipal claims, by filing a lien against the estate, title and interest of each owner subject to the claim.

§ 2509. Highway footways.

(a) Claim prohibited.--Except as provided under subsection (b), a claim may not be filed for curbing, recurfing, paving, repaving or repairing the footway of a highway.

(b) Exception.--A claim may be filed under subsection (a) if the owner of the property has, after notice served on the owner, the owner's known agent or the occupant of the property, not done the work described under subsection (a) within the period of time as may be described by ordinance. If no agent or occupant is known by the claimant, the notice may be posted on the most public part of the property. This subsection shall not apply if the curbing, recurfing or repaving of the footway forms part of an improvement resulting in the paving, macadamizing or improving the cartway of the highway.

§ 2510. Written notice.

(a) Service.--If claims are to be filed to use, a claimant, at least one month before the claim is filed, shall serve a written notice of the claimant's intention to file the claim unless the amount due is paid. Service may be made personally on the owner, except that if the owner cannot be served in the county where the property is situated, notice may be served on the owner's agent or the party in possession of the property. If an agent or party in possession does not exist, service may be posted on the most public part of the property.

(b) Nonapplicability.--Subsection (a) shall not apply if:

(1) the use-plaintiff is a city, borough or township to which a municipal claim of a municipal authority organized by a city of the second class, a county of the second class or a city of the third class has been assigned or sold, as provided under section 2505 (relating to liens); and

(2) the procedure for filing, reviving and enforcing a lien for the assigned claim is the same as provided under this chapter for filing, reviving and enforcing liens based on the use-plaintiff's own municipal claims.

§ 2511. Time and place for filing, liability, interest, form, contents, appeals from assessments, indexing, revival and order fixing amount.(a) Time and place for filing.--

(1) Except as provided under paragraph (2), a claim for taxes, water rents or rates, lighting rates, power rates and sewer rates shall be filed in the court of common pleas of the county in which the property is situated.

(2) If the property is situate in the City of Philadelphia and the taxes or rates do not exceed the maximum amount over which the Municipal Court of Philadelphia has original jurisdiction, a claim shall be filed in the Municipal Court of Philadelphia.

(3) Except as provided under paragraph (4), a claim shall be filed on or before the last day of the third calendar year after the date in which the taxes or rates are first payable.

(4) In city or school district of the first class, a claim, which has become a lien under this chapter and has been entered on the record as a lien or has been liened and revived, shall continue and remain as a lien for a period of 20 years from date of the revival, entry or lien by operation of law, whichever occurs last. Any other municipal claim shall be filed in the court of common pleas or the Municipal Court of Philadelphia within six months from the date when any of the following occurred:

(i) The work was done in front of the property.

(ii) The charge against the property is assessed or made at the time the work is authorized.

(iii) The completion of the improvement on the property. The certificate of a surveyor, engineer or other officer supervising the improvement, filed in the proper office, may be used to determine the time of the completion of the improvement on the property. The surveyor, engineer or other officer shall be personally liable to any individual injured by a false statement regarding the completion of the improvement on the property.

(iv) The assessment is made by the municipality upon the property after the completion of the improvement on the property.

(v) The confirmation by the court if confirmation is required.

(b) Liability.--If a borough is located in more than one county, a claim may be filed by the borough in each county where the borough is located. In the case of real estate benefited by an improvement that is sold before the municipal claim is filed, the date of completion in the certificate shall determine the liability for the payment of the claim between the buyer and seller, unless otherwise agreed upon or as specified under subsection (a).

(c) Interest.--

(1) The number of years' taxes or rates of different kinds, if payable to the same plaintiff, may be included in one claim. Interest as determined by the municipality at a rate not to exceed 10% each year shall be collectible on a municipal claim from the date of the completion of the work after the claim is filed as a lien and on a claim for taxes, water rents or rates, lighting rates or sewer rates from the date of the filing of the lien. After December 28, 1981, in the case of a municipal claim filed for a municipal project which required the municipality to issue bonds to finance the project, interest shall be collectible on the claim at the rate of interest of the bond issue or 12% per year, whichever rate is less.

(2) Except as provided under paragraph (3), the provisions of any other act relating to claims for taxes, water rents or rates, lighting rates, power rates, sewer rents or rates or for any other type of municipal claim or lien utilizes the procedures provided under this chapter and the provisions of the other act establish a different rate of interest for a claim or lien under this chapter, the maximum rate of interest of 10% per year as provided under this subsection shall apply to the claim or lien provided under the other act.

(3) After December 28, 1981, in the case of municipal claim filed for a municipal project which required the municipality to issue bonds to finance the project, interest shall be collectible on the claim at the rate of interest of the bond issue or 12% per year, whichever rate is less.

(d) Form.--

(1) Claims for taxes, water rents or rates, lighting rates, power rates and sewer rates may be in the form of written or typewritten lists showing the names of the taxables, including all of the following:

(i) The name and last known address with the zip code of the owner of each property against which a claim is being filed.

(ii) The descriptions of the properties against which the claims are filed, including the amount of the taxes due to the municipality.

(2) The lists under paragraph (1) may be filed on behalf of a single municipality or cover the unpaid taxes due to two or more municipalities which have taxes collected by the same tax collector if amounts due to each municipality are separately shown.

(3) Tax claims, water rents or rates, lighting rates, power rates and sewer rates filed in the form specified under this subsection shall be considered ratified, confirmed and valid subsisting liens as of the date of the original filing.

(e) Contents.--A number of years' taxes or rates of different kinds, if payable to the same plaintiff, may be included in one claim. A municipal claim shall be filed in the same manner within the required period if an appeal is taken from the assessment for the recovery for which the municipal claim is filed.

(f) Appeals from assessments.--If a municipal claim is filed for an appeal taken from the assessment for the recovery, the lien claim shall be in the form provided under this section, except that the claim shall specify the amount of the claim as an undetermined amount to be determined by the appeal taken from the assessment upon which the municipal claim is based, pending in the court when the appeals proceeding will occur.

(g) Indexing.--Upon the filing of a municipal claim for an appeal taken from the assessment for the recovery, the claim shall be indexed by the prothonotary on the judgment index and the locality index of the court and the amount of the claim shall be stated as an undetermined amount.

(h) Revival.--

(1) If the final judgment of a municipal claim for an appeal taken from the assessment for the recovery is not obtained within 20 years from the filing of the municipal claim, the claimant in the lien shall, within the period of 20 years, file a suggestion of nonpayment in the form specified under this subsection. Except as provided under paragraph (2), a suggestion of nonpayment shall have the effect of continuing the lien for an additional period of 20 years from the date of the filing of the suggestion of nonpayment.

(2) Regarding a claim for taxes or any other municipal claim in a city or school district of the first class, if final judgment is not obtained for the appeal within 20 years from the filing of the municipal claim, the claimant in the lien shall, within the period of 20 years, file a suggestion of nonpayment in the prescribed form. The suggestion of nonpayment shall have the effect of continuing the lien for an additional period of 20 years from the date of filing the suggestion of nonpayment.

(3) Except as provided under paragraph (4), a municipal claim shall be revived in the similar manner provided under this subsection during each recurring period of 20 years until final judgment is entered upon the appeal and the undetermined amount of the municipal claim is fixed as specified under subsection (i).

(4) Regarding a claim for taxes or any other municipal claim in a city or school district of the first class, a municipal claim shall be revived in a similar manner provided under this subsection during each recurring period of 20 years until final judgment is entered upon the appeal and the undetermined amount of the municipal claim is fixed as specified under subsection (i).

(i) Order fixing amount.--

(1) When the final judgment is obtained upon an appeal filed under subsection (h), the court in which the municipal claim is pending shall, upon the petition of any interested party, make an order fixing the undetermined amount claimed in the claim at the amount determined by the final judgment upon the appeal. The amount of the municipal claim shall bear interest from the date of when final judgment was entered and shall remain at that fixed sum. Proceedings upon the municipal claim after the date of the order shall be conducted in the same manner as in other cases.

(2) If, during the final judgment upon an appeal filed under subsection (h), no amount is due upon the assessment for the recovery of which the municipal claim is filed, the court in which the claim is pending shall, upon the petition of any interested party, make an order striking the claim from the record and charge the cost incurred from the claim to the plaintiff.

(3) If the appeal filed under subsection (h) is discontinued, the court in which the municipal claim is pending shall, upon the petition of any interested party, make an order fixing the undetermined amount claimed at the amount of the original assessment. The

amount shall bear interest from the date the assessment was originally payable and shall remain at that fixed sum.

(4) In a county of the second class and municipalities located within the county of the second class, interest at the applicable annual rate shall accrue monthly on all taxes, tax claims and municipal claims on the first day of the month for the entire month, or part of the month, when the taxes, tax claims or municipal claims are paid. Interest shall not be paid on a per diem basis. In a county of the second class, all unpaid county taxes shall become delinquent as provided by the laws of this Commonwealth shall include a penalty of 5% for the delinquency.

(5) In a county of the second class, collected taxes and tax claims shall be paid into the county treasury for the use of the county unless the taxes and tax claims are assigned. If the taxes and tax claims are assigned, there shall be no requirement that the taxes and tax claims collected by the assignee be paid into the county treasury.

(6) In a county of the second class, the county shall not be required to advance or pay any fee to the prothonotary for the filing of paper, an electronic filing or performing any services for the county of the second class relating to the filing, satisfaction, assignment, transfer, revival, amendment, enforcement and collection of taxes, tax claims or tax liens. The prothonotary shall accept filings by or on behalf of a county of the second class relating to the taxes, tax claims or tax liens and document the cost for providing the service performed on the docket. After the prothonotary documents the costs of providing the service performed on the docket, the county of the second class and its employees, representatives, agents or assignees shall collect the fee as part of the taxes, tax claims or tax liens.

§ 2512. Contents of claim, signature, county taxes, levies or assessments and affidavits of use-plaintiff.

(a) Contents of claim.--A claim must specify all of the following:

- (1) The name of the municipality that filed the claim.
- (2) The name and last known address, including the zip code, of the owner of the property against which the claim is filed.
- (3) A description of the property against which the claim is filed.
- (4) The authority under or by virtue of which the tax was levied or the work was done.
- (5) Any of the following:
 - (i) The time for which the tax was levied.
 - (ii) The date on which the work was completed in front of the particular property against which the claim is filed.
 - (iii) The date of completion of the improvement where the assessment is made after completion.
 - (iv) The date of confirmation by the court where confirmation is required to be done.
- (6) If filed to the use of a contractor, the date of and parties to the contract for doing the work.
- (7) In other than tax claims, the kind and character of the work done for which the claim is filed and, if the work requires previous notice to the owner to do the work, when and how the notice was given.

(b) Signature and affidavit.--

(1) Except as provided in paragraph (2), a claim shall be signed by or have stamped on the claim a facsimile signature of the solicitor or chief executive officer of the claimant or the chief of the claimant's delinquent tax bureau.

(2) In counties of the second class, a claim for county taxes, levies or assessments shall be signed by or have stamped on the claim a facsimile signature of the county controller.

(3) In the case of a use-plaintiff, a claim must be accompanied by an affidavit that the facts specified in the claim are true to the best of the use-plaintiff's knowledge, information and belief.

§ 2513. Property included in claims and payment of portion.

(a) Tax claim.--The property described in a tax claim shall include the whole property against which the tax is levied.

(b) Municipal claim.--The property described in a municipal claim may include the whole contiguous property or only the lot in front of or upon which the work is done, or to which service is supplied, of a depth as is usual in properties of the same kind or character in the particular neighborhood.

(c) Property depth.--A municipal claim or tax claim shall not be invalid by reason of including in the claim property to a greater depth than specified in subsection (b). The court in which the claim is filed may, at any time prior to judgment on the claim, but not afterwards, upon it appearing that the claim includes property to a greater depth than is made subject to the claim, limit the lien of the claim to the proper depth.

(d) Narrow strip.--If an owner of property abutting a highway conveys or at any time has conveyed a strip of land abutting the highway that is too narrow to be used as a site for the smallest width dwelling allowed by law to be erected on the strip, the conveyance shall be deemed to be made for the purpose of evading liability for the municipal improvements made or to be made in the highway and:

(1) the assessment may be made, at the option of the municipality, against the lot as it existed before the division; and

(2) the lien may be filed against the entire lot as assessed, joining the owners of both the rear lot and the strip in the claim.

(e) Separate and distinct properties.--If a tax is levied on or filed against separate and distinct properties in one amount covering all the properties, the proper public authority shall, if tendered with all costs, if any, accept payment of the portion of the whole amount of the tax chargeable upon each or any of the separate and distinct properties charged together, according to the tax rate and assessed valuation of the properties. The payment and satisfaction of any one portion may be made without prejudice to the claim against the remainder.

§ 2514. Intervening or substituted defendants.

(a) Intervention.--An individual having an interest in the property, whenever acquired, may, after 10 days' prior notice in writing, by leave of court, intervene as a party defendant and make defense to a claim, with the same effect as if the individual had been originally named as a defendant in the claim filed.

(b) Substitution.--A claimant may, by writing filed at the claimant's costs, strike off the name of a defendant in the claim and may substitute as a defendant, and issue a scire facias against an individual who may have an interest in the claim as owner or an individual who is the personal representative of an owner who has died either before or after filing the claim. The substitution shall be without prejudice to any intervening rights.

§ 2515. Separate and distinct properties and apportionment of charge.

(a) Authorization of proper public authority.--If a tax claim or municipal claim is levied on or filed against separate and distinct properties as one estate, the proper public authority, either before or after filing the claim, may apportion the claim ratably upon the separate and distinct properties that are assessed together.

(b) Court authorization.--The court in which the claim under this section is filed, on proof that the properties were separate and distinct at the time the tax was levied or the work was done, shall, at any stage of the proceedings, apportion the charge against the properties.

(c) Effect of apportionment.--When apportioned, the claim shall be treated and considered in all respects as if separate and distinct claims had been filed. Payment and satisfaction of a portion may be made without prejudice to the claim as against the rest.

§ 2516. Petition of defendant, payment into court, affidavit, rule, decree and jury trial.

(a) Petition.--A defendant named in a claim, or an individual allowed to intervene and defend against the claim, may, at any stage of the proceedings, present a petition, under oath or affirmation:

(1) specifying that the defendant has a defense in whole or in part to the claim and what constitutes the defense;

(2) requesting that a rule be granted upon the claimant to file an affidavit of the amount claimed and to show cause why the petitioner should not have leave to pay money into court; and

(3) in the case of a municipal claim, to enter security in lieu of the claim.

(b) Grant of rule.--Upon the presentation of the petition under subsection (a), the court shall grant the rule as requested.

(c) Payment and decree.--Upon the pleadings filed, or from the claim and the affidavit of defense, and without a petition if an affidavit of defense has been filed, the court shall:

(1) Determine how much of the claim is admitted or not sufficiently denied.

(2) Enter a decree that the claim shall be wholly discharged as a lien against the property described in the claim and shall be stricken from the judgment index upon:

(i) Payment by the petitioner to the claimant of the amount found to be due, with interest and costs on the amount found to be due, or payment into court if the claimant refuses to accept the payment by the petitioner.

(ii) Payment into court of a sum sufficient to cover the balance claimed, with interest and costs, or the entry of approved security in the case of a municipal claim.

(d) Jury trial.--After the proceedings specified under subsection (c), the material disputed facts, if any, shall be tried by a jury, without further pleadings, with the same effect as if a writ of scire facias had duly issued upon the claim, to recover the balance of the claim. The following shall apply:

(1) The jury shall be sworn to try the issues between the claimant and the parties who paid the money into court or entered security.

(2) The verdict, judgment and payment or execution shall follow as in other cases.

(3) The same course may be pursued, at the instance of an owner, if the claim has not been filed and the petitioner complies with the decree made. The following shall apply:

(i) The money paid into court or security entered shall stand in lieu of the claim.

(ii) Security entered shall not be filed, but if filed, shall be stricken off upon motion.

§ 2517. Time of lien.

(a) General rule.--

(1) A tax, municipal or other claim, if filed within the period specified in this chapter, shall remain a lien upon the properties until fully paid and satisfied if either a suggestion of nonpayment and an averment of default, in the form provided in this section is filed, either before or after judgment on the scire facias, or a writ of scire facias, in the form provided in this chapter, is issued to revive the claim, within each period of 20 years following:

(i) the date on which the claim was filed;

(ii) the date on which a writ of scire facias was issued on the claim;

(iii) the date on which a judgment was entered on the claim;

(iv) the date on which a previous suggestion of nonpayment and default was filed on the claim; or

(v) the date on which a judgment of revival was obtained on the claim.

(2) In a city and school district of the first class with respect to taxes and other municipal claims, the period within which the liens may be revived shall be 20 years.

(b) Form of suggestion and averment.--The suggestion and averment shall be in the following form, under the caption of the claim:

And now _____, the claimant, by _____, its solicitor, or by the chief of its delinquent tax bureau, or, in counties of the second class, by the county controller, suggests of record that the above claim is still due and owing to the claimant, and avers that the owner is still in default for nonpayment thereof. The prothonotary is directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim, and also to index it upon the judgment index and on the locality index of the court, for the purpose of continuing the lien of the claim.

(c) Signature required on suggestion and averment.--

(1) Except as provided in paragraph (2), the suggestion and averment shall be signed by or have stamped on its face a facsimile signature of the solicitor or chief executive officer of the claimant or the chief of the claimant's delinquent tax bureau.

(2) In a county of the second class, the suggestion and averment shall be signed by, or have stamped on its face a facsimile signature of, the county controller.

(3) The prothonotary shall docket and index the suggestion and averments as directed.

(d) Legal effect of filing and indexing.--

(1) The filing and indexing of the suggestion and averment within 20 years or, in a city or school district of the first class within 20 years of filing the claim or the issuing of a writ of scire facias on the claim, or of any judgment on the claim, or of the filing of a prior suggestion and averment of default, shall have the same force and effect, for the purposes of continuing and preserving the lien of the

claim, as if a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within the period.

(2) No writ of levavi facias shall be issued on a claim for the purpose of exposing the property lien to sheriff's sale, except after a judgment has been duly obtained on the claim, as provided in this section, and the judgment has been obtained within 20 years or, in a city or school district of the first class, within 20 years of the issuance of the levavi facias.

(3) When the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default, the claimant may, at any time within 20 years from the indexing or, in a city or school district of the first class within 20 years, issue a writ of scire facias on the claim reciting all suggestion and averment of default filed since the filing of the claim, and shall proceed on the lien, in the manner provided in this chapter, subject to the right of the owner to raise a defense arising since the last judgment.

(e) Loss of lien.--If a claim is not filed within the time required by this chapter or the claim is not prosecuted in the manner and at the time required by this chapter, the lien on real estate shall be wholly lost.

(f) Costs of filing claim.--The charge for filing the claim of a municipality or municipal authority shall include the cost of marking the record paid and satisfied. When the claim and costs are paid, the municipality or municipal authority shall notify the prothonotary.

(g) Revival of self-assessed tax liens.--Notwithstanding any other provision of this or any other act to the contrary, all judgments in favor of cities, counties and school districts of the first class relating to self-assessed taxes as defined in section 2 of the act of December 1, 1959 (P.L.1673, No.616), known as the Self-Assessed Tax Lien Act, may be revived in the manner provided for in this section.

§ 2518. Scire facias.

(a) Notice to file.--A party named as defendant in the claim filed, or admitted to defend the claim, may file and serve a notice on the claimant or counsel of record to issue a scire facias on the claim within 15 days after the notice.

(b) Striking of claim.--If no scire facias is issued within 15 days after the affidavit of service of notice is filed of record, the claim shall be stricken off by the court, upon motion.

(c) Compulsory nonsuit.--If a scire facias is issued in accordance with the notice, the claimant may not discontinue the claim or suffer a nonsuit on the trial of the claim, but a compulsory nonsuit shall be entered by the court if the claimant does not appear or withdraws or for any reason fails to maintain the claim.

§ 2519. Form of scire facias.

(a) General rule.--The claim shall be sued by writ of scire facias, and the form thereof shall be substantially as follows:

The Commonwealth of Pennsylvania to (names of the parties defendant), Greeting:

Whereas, The (city, borough, or other municipality, as the case may be,) on the _____ day of _____, A.D. 2____, filed its claim in our court of common pleas of _____ County; at No. _____ Term, 1____, M.L.D., for the sum of \$ _____, with interest from the _____ day of _____, 2____, for (give the improvement, or that for which the claim is filed), against the following property situate in (give location and brief description of the property), owned or reputed to be owned by you.

And whereas, We have been given to understand that said claim is still due and unpaid, and remains a lien against the said property;

Now, you are hereby notified to file your affidavit of defense to said claim, if defense you have thereto, in the office of the prothonotary of our said court, within 15 days after the service of this writ upon you. If no affidavit of defense be filed within said time, judgment may be entered against you for the whole claim, and the property described in the claim be sold to recover the amount thereof.

Witness the Honorable _____, President Judge of our said court, this _____ day of _____, A.D. 2____.

Prothonotary.

(Seal.)

(b) Addition of parties and amicable scire facias.--

(1) When the claimant files a praecipe for the writ of scire facias, the claimant may direct the prothonotary to add and insert the names of any individual whom the claimant may know to have an interest in the premises, and the scire facias shall be issued containing the additional names.

(2) The parties to the claim may agree on an amicable scire facias, upon terms as may be agreed to, with the same effect as if a scire facias, in the form under subsection (a), had been duly issued, served and returned; or the defendants, or any of them, may waive the issue of a scire facias and appear with like effect as if the scire facias had been issued and served.

§ 2520. Duties of sheriff.

(a) Addition of parties.--The sheriff to whom the scire facias is given for service shall add to the writ, as parties defendant, all individuals, other than those named in the writ, who may be found in possession of the property described, or any part of the property. In case no one is found in possession by the sheriff, the sheriff shall post a true copy of the writ on the most public part of the property. The sheriff shall add to the writ the names of any individual, not already named in the writ, who the sheriff ascertains to have an interest in the property described, or any part of the property, which writ shall then be further served as follows:

(1) By serving, as in the case of a summons, the individuals named in or added to the writ as may be found in the county in which the writ issued.

(2) Where the sheriff has information that the individuals named in or added to the writ, or any of them, may be found in any other county of this Commonwealth, the individual shall be served, as in the case of a summons, by the sheriff of the county in which the individual may reside, and the sheriff shall be deputized for that purpose by the sheriff of the county in which the writ issues.

(3) If the individuals named in or added to the writ cannot be found by the sheriff, their residences within this Commonwealth are unknown to the sheriff or they reside outside this Commonwealth, then the writ may be served by advertising a copy or a brief notice of the contents of the writ once a week for three successive weeks in one newspaper of general circulation in the county and in the legal periodical, if any, designated by the court for that purpose. Any individual may accept service of the writ, in person or by counsel, with the same effect as if duly served by the sheriff.

(b) Legal effect of advertised writ; service, posting and return.--

(1) Where the writ or the brief notice of the contents of the writ have been advertised as provided in this chapter, it shall have the same effect as if the writ had been personally served.

(2) All individuals named in or added to the writ, as to whom publication has been made, shall file an affidavit of defense, as required by the writ, within 15 days after the date of the last weekly advertisement of the writ.

(3) All individuals named in or added to the writ who have been served as in case of a summons shall file an affidavit of defense, as required by the writ, within 15 days after service. Service of the writ may be made at any time within three months from the date on which the writ was issued, but the writ shall be served and returned at the earliest date possible, and the plaintiff may require return of the writ at any time, whether or not the writ was actually served.

§ 2521. Judgment for want of affidavit of defense, assessment of damages, rule for judgment and reply.

(a) Failure to file affidavit of defense.--If a defendant fails to file an affidavit of defense within the time designated, a default judgment may be entered and damages assessment by the prothonotary of the court in which the claim was filed. The damages assessment shall include a fee for collection to plaintiff's attorney in accordance with section 2504 (relating to claims assessment).

(b) Insufficient affidavit of defense.--A rule may be taken for judgment if a defendant files an insufficient affidavit of defense against a claim, or for so much of the claim as is insufficiently denied, with leave to proceed for the remainder of the claim.

(c) Oath of plaintiff.--A defendant may, by rule, require the plaintiff to reply, under oath or affirmation, to the statements in the affidavit of defense, and, after the reply has been filed, may move for judgment on the whole record.

§ 2522. Evidence, compulsory nonsuit, verdict and attorney fee.

The following shall apply:

(1) Tax claims and municipal claims shall be prima facie evidence of the facts averred in all cases.

(2) Averments in both tax and municipal claims shall be conclusive evidence of the facts averred, except in the particulars in which those averments shall be specifically denied by the affidavit of defense, or amendment to the averment duly allowed.

(3) A compulsory nonsuit, upon trial, shall be equivalent to a verdict for the defendant, whether the plaintiff appeared or not.

(4) If a plaintiff recovers a verdict, upon trial, in excess of the amount admitted by the defendant in the defendant's affidavit of defense or pleadings, the plaintiff shall be entitled to reasonable attorney fees in accordance with section 2504 (relating to claims assessment).

§ 2523. Scire facias to revive judgment, form and fee for additional names.

The following shall apply to the revival of judgment:

(1) The judgment upon a claim may be revived by writ of scire facias in the following form:

The Commonwealth of Pennsylvania, to C.D. and E.F., Greeting:

Whereas, A.B., claimant, on the _____ day of _____, A.D. 2____, recovered judgment in the sum of _____ dollars against you, that the following described property be sold to satisfy the same:

(Here describe property in full.)

And whereas, We have been given to understand that though judgment, as aforesaid, was rendered, yet the amount thereof is still due and unpaid, and remains as a lien against said property. Now, you are hereby notified to file your affidavit of defense to A.B.'s claim upon said judgment, if any defense you have, in the office of the prothonotary of our said court, within 15 days after service of this writ upon you. If no affidavit of defense be filed within that time, said judgment may be revived against you for the amount set forth, with interest from the time of its recovery, and said property to be sold to recover the whole thereof.

Witness the Hon _____, President Judge of our said court, this _____ day of _____, A.D. 2____.

Prothonotary.

(Seal.)

(2) The parties to a judgment may agree upon an amicable scire facias to revive or to an amicable judgment of revival upon agreed upon terms, with the same effect as if a scire facias in the form under paragraph (1) had been duly issued, served and returned.

(3) Where the name of more than one defendant is included in the scire facias described in this section, the prothonotary shall be entitled to an additional fee of 25¢ for each extra name.

§ 2524. Service of scire facias to revive judgment and procedure.

A writ of scire facias for revival under section 2523 (relating to scire facias to revive judgment, form and fee for additional names) shall be served, and the proceedings conducted, to individuals found by the sheriff and in the manner provided under this chapter for the original scire facias sur claim. A return of nihil habet to the writs to revive shall be equivalent to personal service upon the defendants. The practice and procedure following the scire facias to revive, so far as applicable, shall be the same as in the case of the original scire facias to collect the claim.

§ 2525. Judgment for plaintiff and costs.

All judgments for the plaintiff, whether on the original scire facias or a scire facias to revive, shall be de teris and shall be recovered out of the property bound by lien. The costs, whether as against the plaintiff or the defendant defending against the claim, may be recovered by execution as in personal actions.

§ 2526. Sequestrator and supersedeas.

(a) General rule.--Upon the expiration of 20 days from the recovery of judgment, whether on the original scire or a scire facias to revive, the court shall, upon the petition of the plaintiff, appoint a sequestrator of the rents, issues and profits of the property bound by the judgment, unless in the meantime an appeal be taken, and approved security given to operate as supersedeas.

(b) Essential property limitation.--Subsection (a) shall not apply to property essential to the business of a quasi-public corporation.

(c) Rule for delivery.--The following shall apply:

(1) If the owner against whom a judgment is entered retains possession of the sequestered property, or the party in possession refuse to pay a fair rent, the court shall, upon petition filed and served, grant a rule awarding a writ in the nature of a writ of habere facias possessionem directed to the owner or the party in possession commanding delivery of the possession to the sequestrator within 15 days.

(2) Paragraph (1) shall not apply to property occupied by the owner and the owner's family as a home. The owner shall be entitled to retain possession for a period of one month from the time the petition was served upon the owner.

(d) Sequestrator.--The following shall apply to a sequestrator:

(1) A sequestrator, once appointed, shall have power to perform the following:

(i) Retain possession as sequestrator until all the taxes owing at the time of appointment shall have been collected or paid.

(ii) Lease retained property for a period not exceeding one year with the usual privilege of renewal or termination thereof upon three months notice.

(2) The sequestrator may:

(i) Make reasonably necessary repairs to the property to restore or maintain the property in a tenantable condition.

(ii) Advertise for tenants and collect the costs of repairs and advertising from rentals collected or from a redeeming owner.

(iii) Appoint an agent to collect the rentals of the property and pay the agent commissions for rent collections.

(e) Deduction of costs.--All commissions, costs and necessary expenses shall be deducted from the rents collected before paying the net balance towards the taxes.

(f) Redemption of property.--An owner of the property may redeem the property from the sequestrator and be entitled to possession upon payment of the net amount of taxes then owing upon the property after payment of the commissions, costs and expenses of the sequestration proceedings.

(g) Payment of all taxes.--Upon payment of all taxes owing, either by a redeeming owner or by collection of rentals, the sequestrator shall transfer the possession of the property to the owner, subject to any existing lease or leases given or executed by the sequestrator. A lease or leases executed by the sequestrator shall be assigned to the owner.

(h) Power of sequestrator.--Sequestrators appointed under this chapter shall exercise all powers and use all remedies conferred by the laws of this Commonwealth upon sequestrators in other proceedings, as applicable.

§ 2527. Dockets.

The following shall apply:

(1) Every claim filed, scire facias issued, verdict recovered and judgment entered in accordance with this chapter shall be docketed in the appropriate docket, and, except as provided under paragraphs (2) and (3), shall be entered upon the judgment index of the court.

(2) A note shall be made on the docket when a claim is stricken off or satisfied, the name of a defendant stricken out, a scire facias discontinued or quashed or a verdict or judgment stricken off or satisfied.

(3) In counties in which the filing of liens for county taxes was authorized by law prior to June 4, 1901, the method of filing, entering, docketing and indexing liens for county, road, poor, school, borough, school building, township and other taxes assessed in boroughs and townships in the counties shall remain and be continued in the same manner and form as in use prior June 4, 1901, notwithstanding the passage of the same.

§ 2528. Locality index, unpaid tax list and consumer reporting agencies.

(a) Prothonotaries.--Each prothonotary of the courts of common pleas shall keep a locality index containing all tax or municipal claims filed. Upon a written order for the index, the prothonotary shall give a certificate of search, showing all the claims filed against any property. The prothonotary shall be reimbursed the sum of 25¢, and 5¢ additional for each claim certified, for keeping the locality index.

(b) Public record.--In addition to the requirements of subsection (a), the following shall apply:

(1) The department or public official responsible for collection of delinquent taxes in a municipality that collects delinquent taxes under this chapter and the county treasurer in a county of the second class shall maintain as a public record a list of all properties against which taxes levied in a prior taxable year remain unpaid and the following shall apply:

(i) The list shall include the following information:

(A) A description of the property.

(B) The property's location.

(C) The name and last known address, including the zip code, of the owner of the property.

(D) The amount of unpaid taxes, penalties and interest due for all years other than the current tax year.

(ii) It shall be noted on the list if taxes on the list are paid, another settlement had been agreed to or if a tax sale of the property is held.

(2) The department or public official responsible for collection of delinquent taxes may report any nonpayment of taxes, including liens, to one or more consumer reporting agencies, as defined by the Fair Credit Reporting Act (Public Law 91-508, 15 U.S.C. § 1681 et seq.).

§ 2529. Stay of proceedings.

(a) General rule.--At any time before the property is sold, approved security may be entered for a stay of proceedings until the expiration of one year after the date of filing the claim.

(b) Admission by owner.--The entry of approved security by the owner, before the entry of judgment on the claim, shall be equivalent to an admission by the owner that the property is liable for the claim.

(c) Expiration of stay.--After the stay has expired, the claimant may proceed upon the claim and the bond given, separately or simultaneously.

§ 2530. Execution of judgment.

(a) Writ of levari facias.--Execution upon a judgment recovered upon a claim, except where the property named is essential to the business of a quasi-public corporation, shall be by writ of levari facias in the following form:

The Commonwealth of Pennsylvania:

To the sheriff of _____ County, Greeting:

Whereas, A.B., claimant, on the _____ day of _____, Anno Domini 2____, recovered judgment in the sum of _____ dollars, with interest from the _____ day of _____, Anno Domini 2____, and the costs amounting to _____ dollars, in our court of common pleas of said county, of _____ Term _____, No. _____, M.L.D. against C.D. and E.F., that the following described property in your bailiwick be sold to satisfy the same, viz.:

(Here describe the property in full.)

Now, this is to command you that you expose the said property to sale by public vendue and outcry, after due advertisement according to law, and that return of the sale, with the moneys realized thereby and this writ, you make to our said court on the _____ day of _____, Anno Domini 2____.

Witness the Honorable _____, President Judge of our said court, this _____ day of _____, Anno Domini 2____.

(b) Sale of property.--Advertisement of a sale shall be made, and the deed to the purchaser shall be executed, acknowledged and delivered, as in other real estate sales by the sheriff.

§ 2531. Price and requirements of sale.

(a) Upset price.--The plaintiff in a judgment recovered on a tax or municipal claim may, upon paying the sheriff's costs, fix an upset price to be realized at a sale under the judgment sufficient to pay all taxes and municipal claims and all accrued but unfiled taxes and claims in full.

(b) Requirements.--No sale shall be made on a judgment recovered on a tax or municipal claim except for a sum sufficient to pay all taxes and municipal claims in full, except as provided under this section, and the plaintiff in the judgment may purchase the property at the sale, for that sum, if no one bids a higher price on the property, except when a municipality is the real plaintiff in the judgment, and no one else bids a sum sufficient to pay the sheriff's costs and all taxes and municipal claims in full, the municipality may purchase the property for the sheriff's costs on the property, subject to the lien of all taxes and municipal claims and liens not otherwise discharged by the sale under existing law.

(c) Purchase by municipality.--Upon a purchase by a municipality for the sheriff's costs, any income received from the property by the municipality in excess of that necessary for the upkeep of the property, the payment of insurance premiums on the property and the cost of improvements to the property, shall be applied to the payment of the costs of the sale, then to payment of all taxes liened and unliened, in the order of their priority, the oldest being paid first, and then to municipal claims in the same order.

§ 2532. Property of quasi-public corporations.

(a) General rule.--Where judgment is recovered upon a claim on property named that is essential to the business of a quasi-public corporation, the claimant shall have execution on the claim as in other cases of judgments against quasi-public corporations.

(b) Determination of value.--Upon the distribution of funds realized by a sale of the franchises and the whole or any part of the assets of the quasi-public corporation, the court shall determine the actual value of the

property bound by the lien, and the claim shall be preferred, with the other claims, to the extent of the value determined.

§ 2533. Sale of property subject to lien of tax or municipal claims.

(a) Divestment by judicial sale.--The lien of a tax or a municipal claim:

(1) Shall not be divested by a judicial sale of the property lien where the amount due is indefinite or undetermined or where the amount is not due and payable.

(2) Shall not be divested by a judicial sale of the property lien if the proceeds of the sale may be insufficient to discharge the lien of a tax or municipal claim.

(b) Other tax and municipal claims.--Except as otherwise provided, shall a judicial sale of the property lien, under a judgment obtained on a tax or municipal claim, discharge the lien of a tax or municipal claim other than that upon which the sale is had, except to the extent that the proceeds realized are sufficient for its payment after paying the costs, charges and fees, including reasonable attorney fees, expenses of the sale and of the writ upon which it was made, and any other prior tax or municipal claims to which the funds may first be applicable.

(c) Priority.--The following shall apply:

(1) On any sale being made, all tax claims shall be paid out of the proceeds as follows:

(i) First, the oldest tax having priority.

(ii) Second, municipal claims, the oldest in point of lien having priority.

(2) Mortgages, ground rents and other charges on or estates in the property which were recorded, or created where recording is not required, before any tax other than for the current year accrue, or before the actual doing of the work in front of or upon the particular property for which the municipal claim is filed, shall not be disturbed by the sale unless a prior lien is also discharged by the sale.

(d) Right of plaintiff to postpone sale.--The following shall apply:

(1) In case the property is not sold for a sum sufficient to pay all taxes and municipal claims, together with the costs of the taxes and municipal claims, the plaintiff may postpone the sale, without payment of costs, and file a petition stating:

(i) That more than one year has elapsed since the filing of the claim.

(ii) That the plaintiff has exposed the property to sheriff's sale under the claim and was unable to obtain a bid sufficient to pay the upset price in full.

(iii) If the plaintiff is not a municipality, that the plaintiff will bid sufficient to pay the upset price, and upon the production of searches or a title insurance policy showing the state of the record and the ownership of the property, and of all tax and municipal claims, mortgages, ground rents or other charges on or estates in the land, the court shall grant a rule upon all parties shown to be interested to appear and show cause why a decree should not be made that the property be sold, freed and cleared of the property's respective claims, mortgages, charges and estates of any kind.

(2) If, upon a hearing, the court is satisfied that service has been made of the rule upon the parties respondent in the manner provided in section 2545 (relating to rule to show cause, decree, service and notice), and that the facts stated in the petition are true, the court shall order and decree that the property be sold at a subsequent sheriff's sale day to be fixed by the court without further advertisement, and the court may fix a common date and place of sale for more than one property if the court deems a joint sale to be advantageous.

(e) Sheriff's sale.--All property at sheriff's sale shall be sold, clear of all claims, liens, mortgages, charges and estates of any kind, to the highest bidder at the sale, and the proceeds realized from the sheriff's sale shall be distributed in accordance with the priority of claims.

(f) Purchaser.--The purchaser at a sheriff's sale shall take an absolute title to the property sold, free and discharged of all tax and municipal claims, liens, mortgages, charges and estates of any kind, and subject only to the right of redemption as provided by law.

(g) Counties of the second class.--In counties of the second class, upon return of the writ upon which the sale was made, upon the expiration of the statutory right of redemption and if no petition to set aside the sale is pending, the prothonotary shall satisfy all tax claims and municipal claims divested by the judicial sale in accordance with the order of court authorizing the sale.

(h) Interested individuals.--An individual interested may, at any time before the sale, pay the petitioner the whole of the petitioner's claim, with interest, costs, charges, expenses, fees and attorney fees, whereupon the proceedings on the petition shall at once determine.

(i) Testimony.--For the purpose of enabling the petitioner in a proceeding to give the notice required, the petitioner may take the testimony of the defendant in the claim, or of any other individual whom the petitioner may have reason to believe has knowledge of the whereabouts of any of the parties respondent, either by deposition, commission or rogatory letters.

(j) Purchase by municipality.--The following shall apply:

(1) A municipality, being a claimant, shall have the right to bid and become the purchaser of the property at a sale and, while the property purchased is held and owned by a county, city, borough, incorporated town, township, school district or a body politic and corporate created as a municipal authority under law, the property shall not be subject to tax claims, unless the property is redeemed by the former owner or other individual having the right to redeem, as provided by law.

(2) If a municipality becomes the purchaser at sale, the former owner or other individual desiring to redeem shall pay all taxes and municipal claims accrued and chargeable against the property prior to the sale of the property, together with the costs and interest on the claims, and also all taxes and claims, whether filed or not, which would have accrued and become chargeable against the property had the property been purchased at the sale by a party other than the municipality.

(k) Final judgment.--Upon the delivery by the sheriff of a deed for a property sold under a tax or municipal claim, the judgment upon which the sale was had shall be final and conclusive as to all matters of defense which could have been raised in the proceeding, including payment, and no error or irregularity in obtaining or entering of the judgment shall affect the validity the judgment.

§ 2534. Counties of the first class, recovery of judgment and sale free from claims.

(a) Additional remedy.--In addition to the remedy under sections 2530 (relating to execution of judgment) and 2533 (relating to sale of property subject to lien of tax or municipal claims), if a claimant in a county of the first class has obtained a judgment on a tax or municipal claim, the claimant may file a petition in the court in which the proceeding is pending. The petition shall state the facts necessary to show the right to sell, together with searches or a title insurance policy, showing the state of the record, ownership of the property and of all tax and municipal claims, mortgages, ground rents or other charges on, or estates in, the land, as shown by the official records of the county or the political subdivision in which the real estate is located.

(b) Hearing.--Upon showing the facts and records under this section, the court shall conduct a hearing with all interested parties to appear and show cause why a decree should not be made that the property be sold, freed and cleared of the respective claims, mortgages, ground rents, charges and estates and without any right of redemption after the sale. If upon a hearing, the court is satisfied that service has been made under this subsection upon all interested parties in accordance with section 2545 (relating to rule to show cause, decree, service and notice) and that the facts stated in the petition are true, the court shall order and decree that the property be sold at a subsequent sheriff's sale at a time to be fixed by the claimant, at least one year after the date of the decree, clear of all claims, liens, mortgages, ground rents, charges and estates of any kind, to the highest bidder at the sale.

(c) Proceeds of the sale and final discharge of claims.--Proceeds of the sale shall be distributed in accordance with the priority of the claims, liens, mortgages, ground rents, charges and estates, and the purchaser at the sale shall take and forever thereafter have an absolute title to the property sold, free and discharged of all tax and municipal claims, liens, mortgages, ground rents, charges and estates of any kind and not subject to any right of redemption.

(d) Advertisement.--Advertisement of the sale shall be made and the deed to the purchaser shall be executed, acknowledged and delivered as in other real estate sales by the sheriff, provided that any individual interested may at any time prior to the proposed sale pay all the costs of the proceedings, including a reasonable fee for the necessary title search or title insurance policy, to be fixed by the court and all tax and municipal claims, penalties and interest charged against the property. If an

interested individual pays all costs under this subsection prior to the sale, notice of this provision shall be included with each service and publication of the rule.

(e) County of second class.--In addition to the remedy prescribed in section 2530, whenever a municipality in a county of the second class has obtained a judgment on a tax or municipal claim, the county may file a petition in the court in which the proceeding is pending. The petition shall state the facts necessary to show the right to sell, a title search or a title insurance policy showing the state of the record and the ownership of the property and all tax and municipal claims, mortgages, ground rents or other charges on, or estates in, the land as shown by the official records of the county or the political subdivision in which the real estate is located.

(f) Hearing.--The court shall conduct a hearing with all parties named in the petition to appear and show cause why a decree shall not be made to sell the property free and clear of all claims, mortgages, ground rents, charges and estates of any kind and without any right of redemption after the sale. If, upon a hearing, the court is satisfied that proper service has been made on all interested parties in accordance with section 2545 and that the facts stated in the petition are true, the court shall order and decree that the property be sold at a subsequent sheriff's sale at a time fixed by the claimant, clear of all claims, liens, mortgages, ground rents, charges and estates of any kind, to the highest bidder at the sale.

(g) Proceeds of sale.--Proceeds realized from the sale shall be distributed in accordance with the priority of claims, liens, mortgages, ground rents, charges and estates and the purchaser shall take and forever thereafter have an absolute title to the property sold, free and discharged of all tax and municipal claims, liens, mortgages, ground rents, charges and estates of any kind and not subject to any right of redemption.

(h) Advertisement.--Advertisement of the sale shall be made and the deed to the purchaser shall be executed, acknowledged and delivered as in other real estate sales by the sheriff. An interested individual may, at any time prior to the proposed sale, pay all the costs, charges, expenses and fees and attorney fees of the proceedings, including the cost for the title search or title insurance policy, and all tax and municipal claims charged against the property, whereupon the sale proceedings shall at once terminate. Notice of this provision shall be included with each service of the rule. In counties of the second class, upon return of the writ on which the sale was made and if no petition to set aside the sale is pending, the prothonotary shall satisfy all tax claims and municipal claims divested by the judicial sale.

(i) Deposition, commission or letter permitted.--For the purpose of enabling the petitioner in a proceeding to give the notice required, the court may take the testimony of the defendant in the claim, or of any other individual whom the court may have reason to believe has knowledge of the whereabouts of any of the parties respondent, either by deposition, commission or rogatory letters.

(j) Claimant permitted to bid.--A claimant shall have the right to bid and become the purchaser of the property at a sale. If the purchaser is a taxing authority within the county, the property, while held and owned by the authority, shall not be subject to tax claims.

(k) Deed delivery.--Upon the delivery by the sheriff of a deed for a property sold under the provisions of this section, the judgment upon which the sale was had shall be final and conclusive.

§ 2535. Cities of the first class, recovery of judgment and sale free from claims.

(a) Additional remedies.--In addition to the remedies prescribed in sections 2530 (relating to execution of judgment), 2533 (relating to sale of property subject to lien of tax or municipal claims) and 2534 (relating to counties of the first class, recovery of judgment and sale free from claims), in cities of the first or second class and counties of the second class and municipalities located within counties of the second class, if a claimant has filed a tax or municipal claim in accordance with the requirements of this chapter, the claimant may file a petition in the court in which the proceeding is pending, stating the facts necessary to show the right to sell, together with searches or a title insurance policy, showing the state of record and the ownership of the property and of all tax and municipal claims, liens, mortgages, ground rents or other charges on, or estates in, the land, as shown by the official records of the city, county or political subdivision in which the real estate is located.

(b) Hearing.--Upon a showing under this section, the court shall conduct a hearing with all interested parties appearing to show cause why

a decree should not be made that the property be sold, freed and cleared of the respective claims, liens, mortgages, ground rents, charges and estates of any kind.

(c) Sale.--If, upon a hearing, the court is satisfied that the facts stated in the petition are true and service has been properly made in accordance with section 2545 (relating to rule to show cause, decree, service and notice), the court shall order and decree that the property be sold at a subsequent sheriff's sale at a time to be fixed by the claimant, clear of all claims, liens, mortgages, ground rents, charges and estates of any kind, to the highest bidder at the sale.

(d) Proceeds of sale.--After payment of the tax or municipal lien, any remaining proceeds shall be distributed in accordance with the priority of the remaining claims, liens, mortgages, ground rents, charges and estates and the purchaser at the sale shall take and forever thereafter have an absolute title to the property sold, free and discharged of all tax and municipal claims, liens, mortgages, ground rents, charges and estates of any kind, subject only to the right of redemption as provided by law. The date of the sale shall be advertised in at least one newspaper of general circulation in the county in which the property is located and in a legal periodical published therein, if any.

(e) Deed.--The deed to the purchaser shall be executed, acknowledged and delivered as in other real estate sales by the sheriff. Deeds for property exposed for a sale under this section shall not be executed, acknowledged and delivered any sooner than 30 days nor later than 120 days after the purchaser pays the balance due to the sheriff for a sale held under this section. A individual interested may, at any time prior to the proposed sale, pay all the costs of the proceedings, including the cost for the title search or title insurance policy, and all tax and municipal claims, penalties and interest thereon, charged against the property, and the proceedings on the petition shall at once determine.

(f) Petition to prohibit transfer.--A city of the first or second class may, within 30 days of a sale held under this section, petition the court of common pleas to prohibit the transfer of a deed for any property exposed for any sale under this chapter that is located in that city to any purchaser who is proven to meet any of the criteria specified in subsection (g).

(g) Contents of petition.--The following shall apply:

(1) The petition of a city of the first or second class shall allege that the purchaser has, over the three years preceding the filing of the petition, exhibited a course of conduct which demonstrates that a purchaser permitted an uncorrected housing code violation to continue unabated after being convicted of the violation and:

(i) failed to maintain property owned by the purchaser in a reasonable manner such that the property posed a threat to health, safety or property; or

(ii) permitted the use of property in an unsafe, illegal or unsanitary manner such that the property posed a threat to health, safety or property.

(2) An individual who acts as an agent for a purchaser who sought to avoid the limitations placed on the purchase of property by this section shall be subject to the restrictions imposed by this section.

(3) Allegations under this subsection shall be proved by a preponderance of the evidence. In ruling on the petition, a court shall consider whether violations were caused by malicious acts of a current nonowner occupant and the control exercised by a purchaser in regard to the ownership interest or rights with other properties.

(h) Name change.--A change of name or business status shall not defeat the purpose of this section.

(i) Deposition, commission or letters permitted.--For the purpose of enabling the petitioner in a proceeding to give the notice required, the court may take the testimony of the defendant in the claim, or of any other individual whom the court may have reason to believe has knowledge of the whereabouts of any of the parties respondent, either by deposition, commission or rogatory letters.

(j) Claimant permitted to bid.--A claimant may bid and become the purchaser of the property at a sale, and if the purchaser is a taxing authority within the city or county, the property, while held and owned by the taxing authority, shall not be subject to tax claims unless the property is redeemed by the former owner or other individual having the right to redeem, as provided by law. If a city, county or a taxing authority within the city or county becomes the purchaser at the sale, the former owner or other individuals, desiring to redeem, shall pay all taxes and municipal

claims accrued and chargeable against the property prior to the sale, together with costs and interest, and also all taxes and claims, whether filed or not, which would have accrued and become chargeable against the property had the same been purchased at the sale by some party other than the city, county or a taxing authority within the city or county.

(k) Final judgment.--Upon the delivery by the sheriff of a deed for any property sold under this section, the judgment upon which the sale was had shall thereupon and forever thereafter be final and conclusive, and the validity of the judgment shall not be questioned for any cause.

(l) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Purchaser." An individual, partner, limited or general partner, shareholder, trustee, beneficiary any other individual with an ownership interest or right in a business association, sole proprietorship, partnership, limited partnership, S corporation, C corporation, limited liability company or corporation, trust, business trust or any other business association.

"Uncorrected housing code violation." A conviction of a violation of a building, housing, property maintenance or fire code which is not remedied within six months of conviction.

"Violation." A conviction under a building, housing, property maintenance or fire code which posed a threat to health, safety or property, but not a conviction deemed by a court to be de minimis.

§ 2536. Joining, service and sale.

(a) Joining properties.--If, with regard to two or more properties, a municipality is authorized under section 2533 (relating to sale of property subject to lien of tax or municipal claims), 2534 (relating to counties of the first class, recovery of judgment and sale free from claims) or 2535 (relating to cities of the first class, recovery of judgment and sale free from claims) to petition the court for the individual sale of each property, free and clear of the property's respective claims, liens, mortgages, charges and estates of any kind, the municipality may join any number of the properties in a single petition. The court may grant a rule upon all parties shown to be interested in any of the properties to appear and show cause why a decree should not be made that the properties be sold together in one sale, free and clear of the properties' respective claims, mortgages, charges and estates of any kind.

(b) Service and sale.--If, upon a hearing, the court is satisfied that service has been made of the rule upon the parties in the manner provided in section 2545 (relating to rule to show cause, decree, service and notice) and that the facts stated in the petition are true, the court shall order and decree, subject to applicable restrictions and limitations in section 2533, 2534 or 2535, that the properties be sold together at one sale at a subsequent sheriff's sale day, to be fixed by the court without further advertisement, clear of all claims, liens, mortgages, charges and estates of any kind, to the highest bidder at the sale. The following shall apply:

(1) If a judicial sale of multiple properties is ordered, any party shown to be interested in a particular property may, at any time before the sale, pay the municipality the whole of the claim relating to the particular property, with interest, costs, charges, expenses, fees and attorney fees, whereupon the proceedings on petition with regard to that property shall at once determine.

(2) A judicial sale of multiple properties may not diminish the right of redemption with regard to any particular property that is a part of the sale.

§ 2537. Redemption.

(a) Process.--Except as provided under subsection (c), the owner of a property sold under a tax or municipal claim, the owner's assignees or any party whose lien or estate has been discharged may redeem the property if the property is not located in a city of the second class or a county of the second class or a municipality located within the county of the second class at any time within nine months from the date of the acknowledgment of the sheriff's deed and if the property is located in a city of the second class or a county of the second class or a municipality located within the county of the second class at any time within three months from the date of the acknowledgment of the sheriff's deed, in accordance with the following:

(1) The owner, assignee or a party whose lien or estate been discharged shall pay all the following:

(i) The amount bid at the sale.

(ii) The cost of drawing, acknowledging and recording the sheriff's deed.

(iii) The amount of all taxes and municipal claims, whether not entered as liens, if actually paid.

(iv) The principal and interest of estates and encumbrances not discharged by the sale and actually paid.

(v) The insurance upon the property.

(vi) Other charges and necessary expenses of the property, actually paid, less rents or other income from the property.

(vii) A sum equal to interest at the rate of 10% per annum from the time of each of the payments.

(2) If both owner and creditor desire to redeem, the owner shall have the right to do so if the owner pays the creditor's claim in full.

(3) If more than one creditor desires to redeem, the creditor who was lowest in lien at the time of sale shall have the prior right, upon payment in full of the claim of a creditor higher in lien.

(4) Within nine months if the property is not located in a city of the second class or a county of the second class or a municipality located within the county of the second class or within three months if the property is located in a city of the second class or a county of the second class or a municipality located within the county of the second class, the creditor who was lower in lien may redeem from a creditor higher in lien who has already redeemed and the owner may redeem from the higher and so on throughout, in each case by paying the claim of the creditor whose right was higher.

(5) The creditor higher in lien may redeem from a creditor lower in lien, unless the claim is paid. In each case, the right must be exercised within the time specified under this section.

(b) Redemption.--An individual entitled to redeem may present a petition to the proper court in accordance with the following:

(1) The petition shall state the facts and readiness to pay the redemption money.

(2) The court shall grant a rule to show cause why the purchaser should not reconvey to the individual the premises sold.

(3) If, upon hearing, the court is satisfied of the facts, the court shall make the rule absolute, and, upon payment being made or tendered, shall enforce it by attachment.

(c) Vacant property.--Notwithstanding any other provision of law to the contrary, in a city, township, borough or incorporated town, there shall be no redemption of vacant property by an individual after the date of the acknowledgment of the sheriff's deed. For the purposes of this subsection, property shall be deemed to be "vacant property" unless the property was continuously occupied by the same individual or basic family unit as a residence for at least 90 days prior to the date of the sale and continues to be occupied on the date of the acknowledgment of the sheriff's deed.

§ 2538. Assignment and payment.

(a) Assignment.--A tax or municipal claim filed or to be filed under this chapter and any judgment recovered may be assigned or transferred to a third party, either absolutely or as collateral security, for an amount to be determined by the municipality or other assignor in accordance with the following:

(1) The lien of the tax or municipal claim assigned shall continue as a tax or municipal claim in favor of the assignee.

(2) An assignee, upon assignment or reassignment of the tax or municipal claim not originating as a use-plaintiff claim of a non-municipality, shall have and enjoy the same rights, privileges and remedies as were held by the assigning municipality to enforce and collect the assigned tax or municipal claim under this chapter or any other laws applicable to the collection and enforcement of tax or municipal claims.

(3) A third party, upon assignment or reassignment of a use-plaintiff municipal claim originating with a nonmunicipality, shall have and enjoy the same rights, privileges and remedies as the original holder thereof to enforce and collect the assigned use-plaintiff municipal claim under the provisions of this chapter and any other laws applicable to the collection and enforcement of use-plaintiff municipal claims.

(4) A defendant, upon the assignment or reassignment of the tax, municipal claim or use-plaintiff municipal claim to a third party, shall have and enjoy the same rights and defenses under the provisions of this chapter and any other laws applicable to the collection and enforcement of taxes, tax claims, municipal claims and use-plaintiff municipal claims against the assignee that the defendant held against the assignor.

(b) Payment.--If the tax or municipal claim has been paid in full by one of several defendants, whether originally named as a defendant or allowed to intervene and defend, the claim shall be satisfied of record as to that defendant, and marked to that defendant's use as against the other defendants, pro rata, according to their respective interests in the property bound by the claim.

§ 2539. Amendments and timing.

(a) Amendment.--A claim, petition, answer, replication, scire facias, affidavit of defense or other paper filed of record may be amended, by agreement of the parties or by leave of the court upon petition for that purpose, under oath or affirmation specifying the amendment desired, that the averments are true in fact and that by mistake they were omitted from or wrongfully stated in the particulars as to which amendment is desired. The following shall apply:

(1) The amendment shall be of right, saving intervening rights.

(2) No amendment of the claim shall be allowed after the time for the amendment's filing has expired, if the amendment undertakes to substitute an entirely different property from that originally described in the claim.

(3) The description of the property may be amended so as to be made more accurate, as in other cases of amendment.

(b) Timing.--The court may, for cause shown and filed of record, enlarge the time for filing the affidavit of defense, answer or replication, for issuing a scire facias or for entering security, by rule or special or standing order. The following shall apply:

(1) A judgment by default may be opened by the court, upon cause shown by intervenors or other defendants, as in other cases.

(2) No enlargement of the time for issuing a scire facias shall extend beyond the time provided for preserving or retaining the lien.

§ 2540. General conduct.

The following shall apply to proceedings under this chapter:

(1) A rule granted under this chapter may be made returnable when directed, either therein or by rule of court, or by special or standing order.

(2) Each petition, answer or replication shall be under oath or affirmation.

(3) Answers must be filed and served within 15 days after service of the petition.

(4) Rules and replications must be filed within 15 days after service of the last of the answers.

(5) Replications must be confined to a reply to new matters stated in the answers.

(6) The facts averred by either party, and not denied in the answer or replication of the other, shall be taken as true in all subsequent proceedings in the cause, without the necessity for proof, unless amended under this chapter.

(7) Any fact necessarily found by the court in finally determining a rule shall also be taken as true in all subsequent proceedings in the cause, without the necessity for proof, unless either party, by writing filed and served at least 10 days prior to the time fixed for trial, requires that it be submitted to the jury.

§ 2541. Service of notice.

Unless otherwise provided under this chapter, each notice, petition or rule shall be served in one of the following methods:

(1) Upon counsel for the parties interested or upon the parties themselves in the manner bills in equity are served.

(2) Upon the owner by leaving a copy with the party in possession of the real estate.

(3) In a manner as the court shall direct.

§ 2542. Security.

If security is required to be given under this chapter, the following shall apply:

(1) The security may be approved by the prothonotary, subject to an appeal to the court.

(2) If the security is found to be insufficient, the following shall apply:

(i) New security may be required within a given time. If the security is not provided, the cause may proceed with the same effect as if no security had been given and the sureties shall remain liable.

(ii) By agreement of the parties, or upon approval by the court after notice, new security may be entered in lieu of that originally taken and an exonerator entered on the first bond.

(iii) The security given may be limited to a particular property if clear of incumbrances, and the security be entered as a lien upon the property.

§ 2543. Use-plaintiffs.

(a) Satisfaction.--In cases where there is a use-plaintiff, if the claim is paid or otherwise satisfied or discharged before or after filing, the use-plaintiff, or the use-plaintiff's legal representatives, shall enter satisfaction if the owner or any other interested individual requests satisfaction. The request shall be in accordance with the following:

(1) The owner or any other individual interested shall make the request.

(2) The request shall be made by a written statement showing how the claim was paid, satisfied or discharged, and on the payment of costs, if any are due, to enter satisfaction on the record of the claim.

(b) Refusal.--Refusal to satisfy the claim for a period of 60 days after notice served upon the use-plaintiff or the use-plaintiff's agent or attorney shall subject the use-plaintiff to a suit for penalty at the hands of the party aggrieved. A jury shall determine a just sum not to exceed the amount of the claim.

§ 2544. Notice of interest, registration and service.

(a) Notice of interest.--The following shall apply:

(1) An owner of real property located within a city of the first class, a mortgagee of the property or an individual having a lien or claim on or interest in the property shall register a notice of interest with the department of the city of the first class responsible for collection of tax and municipal claims stating:

(i) the individual's name, residence and mailing address; and

(ii) a description of the real property in which the individual has an interest.

(2) A notice of interest shall not be required for a mortgage or interest otherwise properly recorded in the Office of the Recorder of Deeds, provided the document contains a current address sufficient to satisfy the notice requirements of this section. The interested party shall file an amended registration as needed.

(b) Service.--After the completion and filing of a notice of interest, a city of the first class shall serve all petitions, rules and other notices required by this chapter on the interested parties at the registered address.

(c) Regulations.--A city of the first class may promulgate regulations for the bulk registration of notices of interest.

§ 2545. Rule to show cause, decree, service and notice.

(a) General Rule.--The following shall apply:

(1) In cities of the first or second class and counties of the second class and municipalities located within counties of the second class, notice of a rule to show cause why a property should not be sold free and clear of all encumbrances issued by a court under a petition filed by a claimant under section 2535 (relating to cities of the first class, recovery of judgment and sale free from claims) shall be served by the claimant upon owners, mortgagees, holders of ground rents, liens and charges or estates of any kind as follows:

(i) By posting a true and correct copy of the petition and rule on the most public part of the property.

(ii) By mailing by first class mail, to the address registered by an interested party under section 2544 (relating to notice of interest, registration and service), a true and correct copy of the petition and rule.

(iii) By reviewing a title search, title insurance policy or tax information certificate that identifies interested parties of record who have not registered their addresses under section 2544, the claimant shall mail by first class mail and either by certified mail, return receipt requested, or by registered mail to the addresses that appear on the respective records relating to the premises a true and correct copy of the petition and rule.

(2) Service of notice under this section shall be deemed accomplished on the date of mailing. The claimant shall file an affidavit of service with the court prior to seeking a decree ordering the sale of the premises.

(a.1) Counties of the second class.--In counties of the second class and municipalities within the county of the second class, notice of a rule to show cause why a property should not be sold free and clear of all liens and encumbrances issued by a court under a petition filed by a claimant under sections 2533 (relating to sale of property subject to lien

of tax or municipal claims) and 2534 (relating to counties of the first class, recovery of judgment and sale free from claims) shall be served by the claimant upon owners, mortgagees, holders of ground rents, liens and charges or estates of any kind as follows:

(1) By posting a true and correct copy of the petition and rule on the most public part of the property.

(2) By reviewing a title search, title insurance policy or tax information certificate that identifies interested parties of record, the county or municipality shall mail by first class mail and either by certified mail, return receipt requested, or by certificate of mailing to the addresses that appear on the respective records relating to the premises a true and correct copy of the petition and rule. Notice under this section shall be deemed accomplished on the date of mailing. The claimant shall file an affidavit of service with the court prior to seeking a decree ordering the sale of the premises.

(b) Notice.--The following shall apply:

(1) A party whose interest did not appear on a title search, title insurance policy or tax information certificate or who failed to accurately register the party's interest and address under section 2544 shall not have standing to complain of improper notice if the claimant complied with subsection (a). This provision shall not apply if the mortgage or interest was otherwise properly recorded in the Office of the Recorder of Deeds or the Department of Real Estate, as applicable, and the document contains a current address sufficient to satisfy the notice requirements of this section. Notwithstanding any other requirement under this chapter or any other law to the contrary, the notice required by subsection (a) shall constitute the only notice required before a court may enter a decree ordering a tax sale.

(2) A party whose interest did not appear on a title search or title insurance policy, because of the party's failure to record or properly record its interest, shall not have standing to complain of improper notice if the county or municipality shall have complied with subsection (a.1). This provision shall not apply if the mortgage or interest was otherwise properly recorded in the Office of the Recorder of Deeds or the Department of Real Estate, as applicable, and the document contains a current address sufficient to satisfy the notice requirements of this section. Notwithstanding any other requirement under subsection (a.1), notice under this section shall constitute the only notice required before a court may enter a decree ordering a tax sale free and clear of liens.

(c) Service.--The following shall apply:

(1) Notice of the court's decree ordering a tax sale, together with the time, place and date of the sale, shall be served by first class mail on all parties served with the petition and rule, on any parties whose interest appeared of record after the filing of the petition but before the court's decree and on any creditor who has obtained judgment against the owner of the premises prior to the date of the decree. The claimant shall file an affidavit of service of these notices prior to the date of the sale.

(2) Except in cities of the first class, in sales pursuant to a petition filed by a claimant under section 2535, notice of the court's decree ordering a tax sale, together with the time, place and date of the sale, shall be served with the notice of sheriff's sale and shall be provided to all parties entitled to receive notice under Pa.R.C.P. No. 3129.1 (relating to sale of real property, notice and affidavit).

(3) Except in cities of the first class, in sales pursuant to a petition filed by a claimant under section 2530 (relating to execution of judgment), notice of the court's decree ordering a sale, together with the time, place and date of the sale, shall be served by first class mail upon all parties who receive notice under Pa.R.C.P. No. 3129.1 prior to the initial sale. Notice under this paragraph shall be provided no later than seven days prior to the continued sale.

§ 2546. Validity of sale and time for filing contest.

All parties wishing to contest the validity of a sale conducted under section 2535 (relating to cities of the first class, recovery of judgment and sale free from claims), including the sufficiency of a notice, and any party claiming to have an interest in the premises which was not discharged by the sale, must file a petition seeking to overturn the sale or to establish the interest within three months of the acknowledgment of the deed to the premises by the sheriff.

§ 2547. Cities of first class, time for proceeding on claims and preclusion of sale for undue hardship.

Cities of the first class shall proceed on tax claims after one year of delinquency, unless the owner or an interested party enters into a payment agreement suitable to the claimant. The finance director of the city may preclude the sale of a property on a case-by-case basis if the sale would create an undue hardship on the property owner or occupant.

§ 2548. Procedures available to tax claim bureaus.

The tax claim bureaus of the several counties may adopt and use the procedures in this chapter in addition to the procedures specified in the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law.

§ 2549. Disposition of property acquired by cities of the second class.

The mayor of a city of the second class may designate an agency for the acquisition, administration, maintenance and disposition of property acquired by the city of the second class as a sheriff's sale. The city of the second class or its agent may act as an agent for a taxing authority having a claim against property under this section, pursuant to a locally negotiated agreement that positively affirms the consent by each taxing authority to allow the city of a second class to act as an agent on each taxing authority's behalf. A city of the second class acting as an agent for a taxing authority under this section may take any actions necessary to protect and defend a taxing authority's rights and obligations under this chapter.

Section 2. Section 3103 of Title 68 is amended by adding definitions to read:

Amend Bill, page 2, line 26, by striking out "2" and inserting:

3

Amend Bill, page 5, line 28, by striking out "3" where it occurs the first time and inserting:

4

Amend Bill, page 8, line 29, by striking out "4" and inserting:

5

Amend Bill, page 8, line 29, by striking out "THE ACT" and inserting:

Title 68

Amend Bill, page 10, line 8, by striking out "5" and inserting:

6

Amend Bill, page 11, line 12, by striking out "6" and inserting:

7

Amend Bill, page 12, line 18, by striking out "7" and inserting:

8

Amend Bill, page 16, line 2, by striking out "8" and inserting:

9

Amend Bill, page 16, line 2, by striking out "THE ACT" and inserting:

Title 68

Amend Bill, page 17, line 11, by striking out "9" and inserting:

10

Amend Bill, page 18, line 14, by striking out "10" and inserting:

11

Amend Bill, page 19, line 20, by striking out "11" and inserting:

12

Amend Bill, page 22, line 22, by striking out "12" and inserting:

13

Amend Bill, page 22, line 22, by striking out "THE ACT" and inserting:

Title 68

Amend Bill, page 23, by inserting after line 30:

Section 14. The addition of 68 Pa.C.S. § 2537(a) introductory paragraph, (4) and (5) shall apply to a sheriff's sale conducted on or after the effective date of this section.

Section 15. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of 68 Pa.C.S. Ch. 25.

(2) The act of May 16, 1923 (P.L.207, No.153), known as the Municipal Claim and Tax Lien Law, is repealed.

Section 16. The addition of 68 Pa.C.S. Ch. 25 is a continuation of the act of May 16, 1923 (P.L.207, No.153), known as the Municipal Claim and Tax Lien Law. The following shall apply:

(1) Except as otherwise provided in 68 Pa.C.S. Ch. 25, all activities initiated under the Municipal Claim and Tax Lien Law shall continue and remain in full force and effect and may be completed under 68 Pa.C.S. Ch. 25. Orders, regulations, rules and decisions

which were made under the Municipal Claim and Tax Lien Law and which are in effect on the effective date of this section shall remain in full force and effect until revoked, vacated or modified under 68 Pa.C.S. Ch. 25. Contracts, obligations and collective bargaining agreements entered into under the Municipal Claim and Tax Lien Law are not affected nor impaired by the repeal of the Municipal Claim and Tax Lien Law.

(2) Except as provided under paragraph (3), any difference in language between 68 Pa.C.S. Ch. 25 and the Municipal Claim and Tax Lien Law is intended only to conform to the style of the Pennsylvania Consolidated Statutes and is not intended to change or affect the legislative intent, judicial construction or administration and implementation of the Municipal Claim and Tax Lien Law.

(3) Paragraph (2) does not apply to the addition of the following provisions:

- (i) 68 Pa.C.S. § 2504(b).
- (ii) 68 Pa.C.S. § 2535(a), (b), (c), (d), (f) and (g).
- (iii) 68 Pa.C.S. § 2537(a) introductory paragraph, (4) and (5).
- (iv) 68 Pa.C.S. § 2545(a)(1) introductory paragraph and (iii) and (2), (a.1) introductory paragraph and (2), (b) and (c)(1).
- (v) 68 Pa.C.S. § 2549.

Amend Bill, page 24, line 1, by striking out "13" and inserting:
17

On the question,
Will the Senate agree to the amendment?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Fontana.

Senator FONTANA. Mr. President, this amendment is my Senate Bill No. 811, which unanimously passed the Senate on June 14 and the House Committee on Urban Affairs on September 14. Essentially, this amendment would provide Allegheny County land banks with an expedited sheriff sale process as well as lower the redemption period of a property. The Pennsylvania Land Bank Act provides special abilities that makes it easier for land bank communities to gain access to abandoned properties and determine their outcomes through a sheriff sale process, but not tax sales like Pittsburgh's treasury sales. Unfortunately, tax sales are cumbersome and do not produce a clean and insurable title until a separate court action to quiet a title takes place. The amendment would extend the more efficient and inexpensive means of foreclosing municipal claims and tax lien powers of the lien law, which governs sheriff sales into the city of Pittsburgh and surrounding municipalities and their land banks.

By placing Pittsburgh and the other municipalities into the municipal tax lien law, they would have the ability to use the priority bid process, which in turn would get properties to sheriff sales faster and ultimately make it easier to ensure title post sale. Additionally, there is a 9-month redemption period that is required, which can pose serious challenges for land banks. The amendment would reduce this time frame to 3 months after acknowledgement of the sheriff's deed. Senate Bill No. 811 enjoys support from numerous local and statewide organizations, including but not limited to the Pittsburgh Land Bank, URA, Housing Alliance, and the Greater Pittsburgh Chamber of Commerce. Additionally, it is a bill advocated by the bicameral, bipartisan Blight Task Force.

Thank you, Mr. President.

FONTANA AMENDMENT A5771 TABLED

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, as mentioned by the Senator, this language was found in Senate Bill No. 811, which the Senate took up and passed back in June, sent over to the House. The full House has not vetted this language yet. The language found in the House Bill No. 1795 has been vetted by the House. We are now vetting it here in the Senate, and so, at this time, I am going to ask that we table this amendment. I will make a motion to table the amendment.

The PRESIDENT pro tempore. Senator Gordner moves that the amendment be tabled. This motion is not debatable.

Senator COSTA. Mr. President--

The PRESIDENT pro tempore. Senator Costa, for what reason does the gentleman ask for recognition?

Senator COSTA. I do not know whether a second is necessary for the tabling motion, but if there is not one, I hope one does not come forward, but secondly--

The PRESIDENT pro tempore. That second is not necessary.

Senator COSTA. Thank you. I would just ask the Members for a negative vote on the tabling motion that has been put forth by my colleague.

On the question,
Will the Senate agree to the motion?

The yeas and nays were required by Senator GORDNER and were as follows, viz:

YEA-29

Argall	Dush	Mastriano	Stefano
Aument	Gebhard	Mensch	Tomlinson
Baker	Gordner	Phillips-Hill	Vogel
Bartolotta	Hutchinson	Pittman	Ward, Judy
Brooks	Langerholc	Regan	Ward, Kim
Browne	Laughlin	Robinson	Yaw
Corman	Martin	Scavello	Yudichak
DiSanto			

NAY-20

Boscola	Costa	Hughes	Schwank
Brewster	Dillon	Kane	Street
Cappelletti	Flynn	Kearney	Tartaglione
Collett	Fontana	Muth	Williams, Anthony H.
Comitta	Haywood	Santarsiero	Williams, Lindsey

A majority of the Senators having voted "aye," the question was determined in the affirmative.

The PRESIDENT pro tempore. Amendment A5771 will be laid on the table.

LEAVE CHANGED

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I request that Senator Yaw's leave be changed from a temporary Capitol leave to a personal leave.

The PRESIDENT pro tempore. Senator Gordner requests that Senator Yaw's leave be changed from a temporary Capitol leave to a personal leave. Without objection, the leave will be changed.

And the question recurring,

Will the Senate agree to the bill on third consideration, as amended?

MUTH AMENDMENT A5740 OFFERED

Senator MUTH offered the following amendment No. A5740:

Amend Bill, page 1, line 4, by inserting after "for":
powers of unit owners' association, for

Amend Bill, page 2, by inserting between lines 1 and 2:
* * *

"Detached roof." A roof of a unit that is solely owned by an individual and is not designated as part of the common elements in the governing documents of the association.

Amend Bill, page 2, by inserting between lines 21 and 22:

"Solar energy system." Any of the following that have the primary purpose of providing for the collection, storage and distribution of solar or radiant energy received from the sun to generate electricity:

(1) A solar collection panel, film, shingle or other solar energy device.

(2) A solar structural component fixed in an operating position.

* * *

"Townhouse unit." A unit designed for a single family:

(1) that is constructed with attached walls to another unit on at least one side that extends from the foundation to the roof;

(2) that has at least two sides unattached to another building;
and

(3) for which the repair of the roof of the unit is designated as the responsibility of the owner of the unit and not the responsibility of the association.

* * *

Amend Bill, page 2, by inserting between lines 25 and 26:

Section 2. Section 3302 of Title 68 is amended by adding a subsection to read:

§ 3302. Powers of unit owners' association.
* * *

(c) Solar energy systems.--Notwithstanding subsection (a), the association may not prohibit or restrict the installation or use of a solar energy system on a detached roof or townhouse unit.

Amend Bill, page 2, line 26, by striking out "2" and inserting:
3

Amend Bill, page 5, line 28, by striking out "3" where it occurs the first time and inserting:

4
Amend Bill, page 8, line 29, by striking out "4" and inserting:

5
Amend Bill, page 10, line 8, by striking out "5" and inserting:

6
Amend Bill, page 11, line 12, by striking out "6" and inserting:

7
Amend Bill, page 12, line 18, by striking out "7" and inserting:

8
Amend Bill, page 16, line 2, by striking out "8" and inserting:

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Amend Bill, page 17, line 11, by striking out "9" and inserting:

10
Amend Bill, page 18, line 14, by striking out "10" and inserting:

11
Amend Bill, page 19, line 20, by striking out "11" and inserting:

12
Amend Bill, page 22, line 22, by striking out "12" and inserting:

13
Amend Bill, page 24, line 1, by striking out "13" and inserting:

14
Amend Bill, page 24, line 1, by striking out "in 60-180 days." and inserting:

as follows:

(1) This section shall take effect immediately.

(2) The following shall take effect in 60 days:

(i) The addition of the definitions of "detached roof," "solar energy system" and "townhouse unit" in 68 Pa.C.S. § 3103.

(ii) The addition of 68 Pa.C.S. § 3302(c).

(3) The remainder of this act shall take effect in 180 days.

On the question,

Will the Senate agree to the amendment?

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Montgomery, Senator Muth.

Senator MUTH. Mr. President, my amendment would amend Title 68 to ensure that all Pennsylvania homeowners have the ability to install and utilize solar energy on their homes, including homeowners who are members of homeowners' associations. My amendment includes the language of my Senate Bill No. 826, which was introduced in July of last year and has sat in the Committee on Urban Affairs and Housing ever since. Mr. President, we need to expand access and support to Pennsylvania residents who desire to install solar energy systems on their homes. With the climate crisis worsening every day--it is happening in this moment and the most urgent threat facing our environment right now as well as our existence--homeowners should not be restricted from selecting what type of power source to use in their homes. While I understand that with Pennsylvania's long history of legacy pollution and natural gas or fracked gas development, that this is not--solar energy is certainly not--a priority, but it is for our constituents on both sides of the aisle. This is something that all of our constituents would like to have the opportunity to utilize as a way to save on utility costs, save on emissions, and also reduce exposure to harmful impacts caused by having gas-powered utilities. I ask my colleagues for an affirmative vote. Thank you.

MUTH AMENDMENT A5740 TABLED

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I move that this amendment be laid upon the table.

The PRESIDENT pro tempore. Senator Gordner moves that this amendment be laid upon the table. That motion is not debatable.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator GORDNER and were as follows, viz:

YEA-28

Argall	DiSanto	Martin	Scavella
Aument	Dush	Mastriano	Stefano
Baker	Gebhard	Mensch	Tomlinson
Bartolotta	Gordner	Phillips-Hill	Vogel
Brooks	Hutchinson	Pittman	Ward, Judy
Browne	Langerholc	Regan	Ward, Kim
Corman	Laughlin	Robinson	Yudichak

NAY-20

Boscola	Costa	Hughes	Schwank
Brewster	Dillon	Kane	Street
Cappelletti	Flynn	Kearney	Tartaglione
Collett	Fontana	Muth	Williams, Anthony H.
Comitta	Haywood	Santarsiero	Williams, Lindsey

A majority of the Senators having voted "aye," the question was determined in the affirmative.

The PRESIDENT pro tempore. Amendment A5740 will be laid on the table.

Without objection, the bill, as amended, was passed over in its order at the request of Senator GORDNER.

BILLS OVER IN ORDER

HB 1929 and **HB 1958** -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2209 (Pr. No. 2976) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in land banks, further providing for legislative findings and purpose, for board, for powers and for disposition of property and providing for exemption from realty transfer tax.

On the question,
Will the Senate agree to the bill on third consideration?

FONTANA AMENDMENT A4833 OFFERED

Senator FONTANA offered the following amendment No. A4833:

Amend Bill, page 1, line 5, by inserting after "TAX":
; providing for municipal claim and tax lien law; and making a related repeal

Amend Bill, page 3, by inserting between lines 20 and 21:
Section 6. Title 68 is amended by adding a chapter to read:

CHAPTER 25MUNICIPAL CLAIM AND TAX LIEN LAW

Sec.
2501. Short title.
2502. Definitions.
2503. Local taxes a first lien and date.
2504. Claims assessment.
2505. Liens.
2506. Real estate subject to tax and municipal claims.
2507. Donation of property.
2508. Multiple owners.
2509. Highway footways.
2510. Written notice.
2511. Time and place for filing, liability, interest, form, contents, appeals from assessments, indexing, revival and order fixing amount.
2512. Contents of claim, signature, county taxes, levies or assessments and affidavits of use-plaintiff.
2513. Property included in claims and payment of portion.
2514. Intervening or substituted defendants.
2515. Separate and distinct properties and apportionment of charge.
2516. Petition of defendant, payment into court, affidavit, rule, decree and jury trial.

2517. Time of lien.
2518. Scire facias.
2519. Form of scire facias.
2520. Duties of sheriff.
2521. Judgment for want of affidavit of defense, assessment of damages, rule for judgment and reply.
2522. Evidence, compulsory nonsuit, verdict and attorney fee.
2523. Scire facias to revive judgment, form and fee for additional names.
2524. Service of scire facias to revive judgment and procedure.
2525. Judgment for plaintiff and costs.
2526. Sequester and supersedeas.
2527. Dockets.
2528. Locality index, unpaid tax list and consumer reporting agencies.
2529. Stay of proceedings.
2530. Execution of judgment.
2531. Price and requirements of sale.
2532. Property of quasi-public corporations.
2533. Sale of property subject to lien of tax or municipal claims.
2534. Counties of the first class, recovery of judgment and sale free from claims.
2535. Cities of the first class, recovery of judgment and sale free from claims.
2536. Joining, service and sale.
2537. Redemption.
2538. Assignment and payment.
2539. Amendments and timing.
2540. General conduct.
2541. Service of notice.
2542. Security.
2543. Use-plaintiffs.
2544. Notice of interest, registration and service.
2545. Rule to show cause, decree, service and notice.
2546. Validity of sale and time for filing contest.
2547. Cities of first class, time for proceeding on claims and preclusion of sale for undue hardship.
2548. Procedures available to tax claim bureaus.
2549. Disposition of property acquired by cities of the second class.
§ 2501. Short title.
This chapter shall be known and may be cited as the Municipal Claim and Tax Lien Law.
§ 2502. Definitions.
The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:
"Charges, expenses and fees." Includes, but is not limited to, the following:
(1) Sums paid or incurred by a municipality to file, preserve and collect unpaid taxes, tax claims, tax liens, municipal claims and municipal liens, including, but not limited to, prothonotary and sheriff fees, postage expenses and title search expenses.
(2) Charges, expenses, commissions and fees of third-party collectors retained by a county, city, borough, incorporated town, township, school district or municipal authority when attempted to be recovered by the county, city, borough, incorporated town, township, school district or municipal authority that retained the third-party collector. The charges, expenses, commissions and fees of the third-party collectors must have been approved by legislative action of the county, city, borough, incorporated town, township, school district or municipal authority that levies the unpaid taxes, tax claims, tax liens, municipal claims and municipal liens.
"Claimant." The plaintiff or use-plaintiff in whose favor a claim is filed as a lien.
"Contractor." An individual who, under contract with a plaintiff, performed the work for which a lien is given.
"Highway." The whole or any part of a public street, road, lane or alley or other public highway.
"Municipal claim." Any of the following:
(1) A claim resulting from a tax assessed, service supplied, work done or improvement authorized and undertaken by a municipality. It is not required for the amount of the claim to be definitively ascertained, nor have a lien filed, at the time of filing the

claim. A lien shall be filed within the period of time and in the manner provided under this chapter.

(2) A claim filed to recover for any of the following:

(i) Grading, guttering, macadamizing or otherwise improving the cartways of a highway.

(ii) Grading, curbing, recurbing, paving, repaving, constructing or repairing the footways of any highway.

(iii) Laying water pipes, gas pipes, culverts, sewers, branch sewers or sewer connections in a highway.

(iv) Assessments for benefits in the opening, widening or vacation of a highway.

(v) Changing of watercourses or the construction of sewers through private lands.

(vi) Highways of townships of the first class.

(vii) Acquisition of sewers and drains constructed and owned by individuals or corporations, and the rights in and to use the sewers and drains.

(viii) Removal of nuisances.

(ix) Water rates, lighting rates or sewer rates.

(3) A claim filed to recover for work, material or services rendered or furnished in the construction, improvement, maintenance or operation of a project undertaken by a municipality. The municipal claim shall include all penalties, interest, costs, fines, charges, expenses and fees, including reasonable attorney fees, as allowed under this chapter and all other applicable laws.

"Municipality." A county, city, borough, incorporated town, township, school district or body politic and corporate, or an assignee, created as a municipal authority pursuant to law.

"Owner." The individual in whose name property is registered, if registered according to law. If not registered according to law, an individual in open, peaceable and notorious possession of the property, as apparent owner of the property, if any, or the reputed owner of the property in the neighborhood in which property is located.

"Property." The real estate subject to a lien and against which a claim is filed as a lien.

"Tax claim." A claim filed to recover taxes.

"Taxes." A tax imposed by or assessed for any of the following, including any penalty, interest, cost, charge, expense or fee, including reasonable attorney fees, connected to the tax:

(1) County of any class.

(2) City of any class.

(3) Borough of any class.

(4) Incorporated town.

(5) Township.

(6) School district.

(7) Bridge.

(8) Road.

(9) Poor taxes.

§ 2503. Local taxes a first lien and date.

(a) General rule.--All taxes imposed or assessed on any property in this Commonwealth are declared to be a first lien on the property, together with all charges, expenses and fees added for failure to pay promptly.

(b) Priority of lien.--A first lien under subsection (a) shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of the property before any other obligation, judgment, claim, lien or estate with which the property may become charged or for which it may become liable, save and except only the costs of the sale and of the writ upon which the sale is made.

§ 2504. Claims assessment.

(a) Lien declaration.--

(1) All municipal claims, municipal liens, taxes, tax claims and tax liens imposed or assessed on a property in this Commonwealth, and all prior claims imposed or assessed within six months before the passage of this chapter and not yet liened, shall be declared to be a lien on the property, together with all charges, expenses and fees incurred in the collection of any delinquent account, including reasonable attorney fees under subsection (a.1), added for failure to pay promptly. All municipal claims and municipal liens shall arise when lawfully imposed and assessed and shall have priority to and be fully paid and satisfied out of the proceeds of a judicial sale of the property, before any other obligation, judgment, claim, lien or estate with which the property may become charged, or for which it may

become liable, save and except only the costs of the sale and of the writ upon which it is made, and the taxes, tax claims and tax liens imposed or assessed upon the property.

(2) A claim for property taxes that has been reduced to judgment shall be enforceable as a lien against real property in the same manner and to the same extent as a judgment for money under the generally applicable laws of this Commonwealth. For purposes of this paragraph, "reduced to judgment" means a claim rendered absolute under section 311 of the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, and those given the effect of a judgment in accordance with this chapter.

(3) Notwithstanding any other provision of law, when a judgment or lien under this section is reduced or satisfied by payment or a sale of the property, the judgment creditor shall notify the tax claim bureau or prothonotary where the original tax claim is docketed and shall enter the satisfaction in the office of the clerk of the court in the county where the judgment is outstanding. No tax claim shall be subject to additional interest as a result of enforcement as a judgment lien under paragraph (2).

(4) A judgment lien under this subsection shall exist separate and apart from the tax lien.

(5) Nothing in this subsection shall be construed as affecting other remedies available to a municipality for collection of a tax or the priority or amount of a tax lien.

(a.1) Attorney fees.--It is not the intent of this section to require owners to pay, or municipalities to sanction, inappropriate or unreasonable attorney fees, charges or expenses for routine functions. Attorney fees incurred in the collection of a delinquent account, including a municipal claim, municipal lien, tax, tax claim and tax lien, shall be in an amount sufficient to compensate attorneys undertaking collection and representation of a municipality or its assignee in any actions in law or equity involving claims arising under this chapter. A municipality by ordinance, or by resolution if the municipality is of a class that does not have the power to enact an ordinance, shall adopt the schedule of attorney fees. Where attorney fees are sought to be collected in connection with the collection of a delinquent account, including a municipal claim, municipal lien, tax, tax claim and tax lien, the owner may petition the court of common pleas in the county where the property subject to the municipal claim and lien, tax claim and lien or tax is located to adjudicate the reasonableness of the attorney fees imposed. In the event that there is a challenge to the reasonableness of the attorney fees imposed in accordance with this section, the court shall consider, but not be limited to, the following:

(1) The time and labor required, the novelty and difficulty of the questions involved and the skill requisite to properly undertake collection and representation of a municipality.

(2) The customary charges of the members of the bar for similar services.

(3) The amount of the delinquent account collected and the benefit to the municipality from the services.

(4) The contingency or the certainty of the compensation.

(a.2) Duplication of attorney fees.--If attorney fees are awarded under any provision of law, the municipality shall not be entitled to duplicate recovery of attorney fees under this section.

(a.3) Notice.--The notice shall be as follows:

(1) At least 30 days prior to assessing or imposing attorney fees in connection with the collection of a delinquent account, including a municipal claim, municipal lien, tax, tax claim and tax lien, a municipality shall, by United States certified mail, return receipt requested, postage prepaid, mail to the owner the notice required by this subsection.

(2) If, within 30 days of mailing the notice in accordance with paragraph (1), the certified mail is refused or unclaimed or the return receipt is not received, then at least 10 days prior to assessing or imposing attorney fees in connection with the collection of a delinquent account, a municipality shall, by United States first class mail, mail to the owner the notice required by this subsection.

(3) The notice required by this subsection shall be mailed to the owner's last known post office address by virtue of the knowledge and information possessed by the municipality and by the county office responsible for assessments and revisions of taxes. The municipality shall determine the owner's last post office address known to the collector and county assessment office.

(4) The notice to the owner shall include the following:

(i) A statement of the municipality's intent to impose or assess attorney fees within 30 days of mailing the notice under paragraph (1) or within 10 days of the mailing of the notice under paragraph (2).

(ii) The manner in which the imposition or assessment of attorney fees may be avoided by payment of the delinquent account.

(b) City of first class provision.--With the exception of those claims that have been assigned, a municipal claim, municipal lien, tax, tax claim or tax lien, including interest, penalty and costs, imposed by a city of the first or second class or by a county of the second class or by a municipality within a county of the second class, shall be a judgment only against the property when the lien has been docketed by the prothonotary. The docketing of the lien shall be given the effect of a judgment against the property only with respect to which the claim is filed as a lien. The prothonotary shall maintain an in rem index, the form and location of which shall be within the prothonotary's discretion. All tax claims, water rents or rates, lighting rates, power rates and sewer rates filed prior are ratified, confirmed and made valid subsisting liens as of the date of their original filing.

(c) Writ of execution.--A writ of execution may issue directly without prosecution to judgment of a writ of scire facias. Any property sold in execution shall be sold in compliance with the provisions of section 2535 (relating to cities of the first class, recovery of judgment and sale free from claims).

(d) Filing date provision.--Attorney fees may be imposed and collected in accordance with this section upon all taxes, tax claims, tax liens, municipal claims, municipal liens, writs of scire facias, judgments or executions filed on or after December 19, 1990.

§ 2505. Liens.

The following shall apply:

(1) The lien for taxes shall exist in favor of, and the claim may be filed against the property taxed by, a municipality to which the tax is payable.

(2) The lien for the removal of nuisances shall exist in favor of, and the claim may be filed against the property from which the nuisance is removed, or by which the nuisance is caused, by a municipality by or for which the nuisance is removed.

(3) The lien for the following:

(i) grading, guttering, paving, macadamizing or otherwise improving the cartways of any highways;

(ii) grading, curbing, recurbing, paving, repaving, constructing or repairing footways;

(iii) laying water pipes, gas pipes, culverts, sewers, branch sewers or sewer connections in a highway;

(iv) assessments for benefits in the opening, widening or vacation of a highway;

(v) changing of watercourses or construction of sewers through private lands;

(vi) highways of townships of the first class;

(vii) acquisition of sewers and drains constructed and owned by individuals or corporations, and of rights in and to use the sewers and drains; and

(viii) water rates, lighting rates, sewer rates or rates for any other service furnished by a municipality;

shall exist in favor of, and the claim may be filed against the property benefited by, the municipality extending the benefit or the city, borough or township in which the property is located, if the work, material or service forming the basis of the lien was supplied by a municipal authority organized by a city of the second class, by a county of the second class or by a city of the third class and the liens or the claim has been assigned to it.

(4) Municipal authorities organized by cities of the second class, by counties of the second class or by cities of the third class are authorized to assign municipal claims and liens to the city, borough or township in which the property subject to the lien is located, and cities, boroughs and townships in which the property is located are authorized to purchase the lien. Upon the assignment or purchase, the city, borough or township acquiring the municipal claim or lien shall have the same rights as if it had supplied the work, material or service upon which the municipal claim or lien is based.

(5) When the contractor performing the work is to be paid by assessment bills, the lien shall exist for, and the claim shall be filed to, the contractor's use, and the contractor shall under no circumstances have recourse to the municipality authorizing the work.

§ 2506. Real estate subject to tax and municipal claims.

(a) Rule.--Except as provided under subsection (b), real estate shall be subject to tax and municipal claims as provided under this chapter.

(b) Exceptions.--

(1) Subsection (a) shall not apply to property owned by the United States or the Commonwealth.

(2) Except for the removal of nuisances, for sewer claims and sewer connections or for the curbing, recurbing, paving, repaving or repairing of footways in front of nuisances, sewer claims and sewer connections, subsection (a) shall not apply to the following property, if exempt from taxation:

(i) Property owned by a county, city or other municipality or municipal division.

(ii) Actual places of religious worship.

(iii) Places of burial not held or used for private or corporate profit.

(iv) Institutions of purely public charity.

(3) Nothing under this chapter shall prohibit a municipality from providing that municipal work may be done at the expense of the public generally and be paid out of the general funds of the municipality.

§ 2507. Donation of property.

(a) Acceptance.--

(1) A county, city, borough, incorporated town, township, home rule municipality, optional plan municipality or optional charter municipality may accept the donation of property that is subject to a claim for taxes. A municipal authority, other than a redevelopment authority, or a school district may participate in a donation under subsection (g).

(2) A municipality shall provide written notice to local municipalities or the municipality's designees under subsection (f) of a donation proposed by the owner of the property. A donation under this subsection may not be accepted less than 30 days after notice to each other municipality which has a claim for taxes on the subject property under this chapter. A donation under this subsection shall divest each lien against the property possessed by the municipality accepting the donation and each local tax lien recorded prior to the date of donation, except as otherwise provided under this section and except for a mortgage recorded prior to the tax liens.

(b) Participation.--

(1) A municipality that receives a notice of proposed donation may request to participate in negotiations with regard to the donation and extinguishment of all or part of the municipality's liens and with regard to proposals to return the property to the tax rolls or to productive public use. A municipality that does not respond in writing to the notice within 30 days of the municipality's receipt of the notice waives the municipality's right to participate in the donation negotiations and the municipality's lien shall be extinguished.

(2) A municipality participating in donation negotiations may agree to extinguish each existing lien against the property in exchange for full or partial satisfaction of the municipality's claims upon future sale of the property by the municipality accepting the donation.

(3) Each negotiation must consider the structure and condition of the property, the market value of the property in its current condition, the best use of the property given the neighborhood and local ordinances and the costs to cure defects, including defects in title.

(c) Deed.--

(1) A donation under this subsection shall be by deed recorded, and registered where required with the county recorder of deeds. The deed shall be accompanied by recorded satisfactions of each claim for taxes which are extinguished by virtue of the donation.

(2) The satisfaction from the municipality which is accepting ownership of the property pursuant to the donation shall provide for full extinguishment of each claim possessed by the municipality under this chapter. A satisfaction of liens shall provide that each claim of each municipality in which the property is located is discharged and extinguished, unless different terms are agreed upon between

the owner and the municipalities participating in the donation negotiations.

(d) Exemption.--Property that has been donated under this section shall be exempt from claims for taxes from each municipality in which the property is located during the time that the property remains in the ownership of the county, city, borough, incorporated town, township, home rule municipality, optional plan municipality, optional charter municipality, redevelopment authority or school district to which the property was donated.

(e) Nonliability.--Notwithstanding any other provision of law, an owner who donates property under this section shall not be personally liable for the amount of claims for taxes exempted or extinguished as a result of the donation.

(f) Agent.--

(1) A county, city, borough, incorporated town, township, home rule municipality, optional plan municipality or optional charter municipality in which the property is located may designate another municipality, or a redevelopment authority in which the property is located to act as its agent with regard to a donation under this section.

(2) A single municipality or the redevelopment authority may be selected as the agent for all municipalities holding a tax claim or lien. In returning the property to the tax rolls or to productive public use, a municipality or a redevelopment authority may seek the assistance of a community development corporation serving the area where the property is located.

(g) School district or municipal authority.--A school district or municipal authority, other than a redevelopment authority, may participate in the provisions of this section only if the school district or municipal authority has designated an agent in accordance with subsection (f). Nothing under this subsection shall prevent a school district or municipal authority from taking title to a donated property if it is determined during negotiations that the best manner to return the property to productive use is to allow a school district or municipal authority to use the property for purposes directly related to the mission of the district or authority.

§ 2508. Multiple owners.

(a) Proportionate share of tax.--If real estate in this Commonwealth is owned by joint tenants, tenants in common or coparceners and a joint tenant, tenant in common or coparcener has paid their proportionate amount of the taxes due on the real estate, a municipality may file a claim for the unpaid taxes against the estate, title and interest of each owner who has not paid their proportionate share of the tax.

(b) Release of proportionate share of tax.--If a claim for taxes has been filed against real estate owned by joint tenants, tenants in common or coparceners, the claimant shall release the estate, title and interest of each joint tenant, tenant in common or coparcener from the tax claim, upon payment by the joint tenant, tenant in common or coparcener of their proportionate share of the taxes, with proportionate interest and costs.

(c) Exempt property.--If property in this Commonwealth is owned by more than one owner or part owner and the estate and title of an owner or part owner is exempt from or has not been subjected to taxation or municipal claims, the estate and title of each owner or part owner which is not exempt from or which has been subjected to taxation or municipal claims shall be subject to the tax and municipal claims provided for under this chapter. Property subject to tax and municipal claims under this subsection shall be subject as any other real property liable to assessment for taxes and municipal claims, by filing a lien against the estate, title and interest of each owner subject to the claim.

§ 2509. Highway footways.

(a) Claim prohibited.--Except as provided under subsection (b), a claim may not be filed for curbing, recurbing, paving, repaving or repairing the footway of a highway.

(b) Exception.--A claim may be filed under subsection (a) if the owner of the property has, after notice served on the owner, the owner's known agent or the occupant of the property, not done the work described under subsection (a) within the period of time as may be described by ordinance. If no agent or occupant is known by the claimant, the notice may be posted on the most public part of the property. This subsection shall not apply if the curbing, recurbing or repaving of the footway forms part of an improvement resulting in the paving, macadamizing or improving the cartway of the highway.

§ 2510. Written notice.

(a) Service.--If claims are to be filed to use, a claimant, at least one month before the claim is filed, shall serve a written notice of the claimant's intention to file the claim unless the amount due is paid. Service may be made personally on the owner, except that if the owner cannot be served in the county where the property is situated, notice may be served on the owner's agent or the party in possession of the property. If an agent or party in possession does not exist, service may be posted on the most public part of the property.

(b) Nonapplicability.--Subsection (a) shall not apply if:

(1) the use-plaintiff is a city, borough or township to which a municipal claim of a municipal authority organized by a city of the second class, a county of the second class or a city of the third class has been assigned or sold, as provided under section 2505 (relating to liens); and

(2) the procedure for filing, reviving and enforcing a lien for the assigned claim is the same as provided under this chapter for filing, reviving and enforcing liens based on the use-plaintiff's own municipal claims.

§ 2511. Time and place for filing, liability, interest, form, contents, appeals from assessments, indexing, revival and order fixing amount.

(a) Time and place for filing.--

(1) Except as provided under paragraph (2), a claim for taxes, water rents or rates, lighting rates, power rates and sewer rates shall be filed in the court of common pleas of the county in which the property is situated.

(2) If the property is situate in the City of Philadelphia and the taxes or rates do not exceed the maximum amount over which the Municipal Court of Philadelphia has original jurisdiction, a claim shall be filed in the Municipal Court of Philadelphia.

(3) Except as provided under paragraph (4), a claim shall be filed on or before the last day of the third calendar year after the date in which the taxes or rates are first payable.

(4) In city or school district of the first class, a claim, which has become a lien under this chapter and has been entered on the record as a lien or has been liened and revived, shall continue and remain as a lien for a period of 20 years from date of the revival, entry or lien by operation of law, whichever occurs last. Any other municipal claim shall be filed in the court of common pleas or the Municipal Court of Philadelphia within six months from the date when any of the following occurred:

(i) The work was done in front of the property.

(ii) The charge against the property is assessed or made at the time the work is authorized.

(iii) The completion of the improvement on the property. The certificate of a surveyor, engineer or other officer supervising the improvement, filed in the proper office, may be used to determine the time of the completion of the improvement on the property. The surveyor, engineer or other officer shall be personally liable to any individual injured by a false statement regarding the completion of the improvement on the property.

(iv) The assessment is made by the municipality upon the property after the completion of the improvement on the property.

(v) The confirmation by the court if confirmation is required.

(b) Liability.--If a borough is located in more than one county, a claim may be filed by the borough in each county where the borough is located. In the case of real estate benefited by an improvement that is sold before the municipal claim is filed, the date of completion in the certificate shall determine the liability for the payment of the claim between the buyer and seller, unless otherwise agreed upon or as specified under subsection (a).

(c) Interest.--

(1) The number of years' taxes or rates of different kinds, if payable to the same plaintiff, may be included in one claim. Interest as determined by the municipality at a rate not to exceed 10% each year shall be collectible on a municipal claim from the date of the completion of the work after the claim is filed as a lien and on a claim for taxes, water rents or rates, lighting rates or sewer rates from the date of the filing of the lien. After December 28, 1981, in the case of a municipal claim filed for a municipal project which required the municipality to issue bonds to finance the project,

interest shall be collectible on the claim at the rate of interest of the bond issue or 12% per year, whichever rate is less.

(2) Except as provided under paragraph (3), the provisions of any other act relating to claims for taxes, water rents or rates, lighting rates, power rates, sewer rents or rates or for any other type of municipal claim or lien utilizes the procedures provided under this chapter and the provisions of the other act establish a different rate of interest for a claim or lien under this chapter, the maximum rate of interest of 10% per year as provided under this subsection shall apply to the claim or lien provided under the other act.

(3) After December 28, 1981, in the case of municipal claim filed for a municipal project which required the municipality to issue bonds to finance the project, interest shall be collectible on the claim at the rate of interest of the bond issue or 12% per year, whichever rate is less.

(d) Form.--

(1) Claims for taxes, water rents or rates, lighting rates, power rates and sewer rates may be in the form of written or typewritten lists showing the names of the taxables, including all of the following:

(i) The name and last known address with the zip code of the owner of each property against which a claim is being filed.

(ii) The descriptions of the properties against which the claims are filed, including the amount of the taxes due to the municipality.

(2) The lists under paragraph (1) may be filed on behalf of a single municipality or cover the unpaid taxes due to two or more municipalities which have taxes collected by the same tax collector if amounts due to each municipality are separately shown.

(3) Tax claims, water rents or rates, lighting rates, power rates and sewer rates filed in the form specified under this subsection shall be considered ratified, confirmed and valid subsisting liens as of the date of the original filing.

(e) Contents.--A number of years' taxes or rates of different kinds, if payable to the same plaintiff, may be included in one claim. A municipal claim shall be filed in the same manner within the required period if an appeal is taken from the assessment for the recovery for which the municipal claim is filed.

(f) Appeals from assessments.--If a municipal claim is filed for an appeal taken from the assessment for the recovery, the lien claim shall be in the form provided under this section, except that the claim shall specify the amount of the claim as an undetermined amount to be determined by the appeal taken from the assessment upon which the municipal claim is based, pending in the court when the appeals proceeding will occur.

(g) Indexing.--Upon the filing of a municipal claim for an appeal taken from the assessment for the recovery, the claim shall be indexed by the prothonotary on the judgment index and the locality index of the court and the amount of the claim shall be stated as an undetermined amount.

(h) Revival.--

(1) If the final judgment of a municipal claim for an appeal taken from the assessment for the recovery is not obtained within 20 years from the filing of the municipal claim, the claimant in the lien shall, within the period of 20 years, file a suggestion of nonpayment in the form specified under this subsection. Except as provided under paragraph (2), a suggestion of nonpayment shall have the effect of continuing the lien for an additional period of 20 years from the date of the filing of the suggestion of nonpayment.

(2) Regarding a claim for taxes or any other municipal claim in a city or school district of the first class, if final judgment is not obtained for the appeal within 20 years from the filing of the municipal claim, the claimant in the lien shall, within the period of 20 years, file a suggestion of nonpayment in the prescribed form. The suggestion of nonpayment shall have the effect of continuing the lien for an additional period of 20 years from the date of filing the suggestion of nonpayment.

(3) Except as provided under paragraph (4), a municipal claim shall be revived in the similar manner provided under this subsection during each recurring period of 20 years until final judgment is entered upon the appeal and the undetermined amount of the municipal claim is fixed as specified under subsection (i).

(4) Regarding a claim for taxes or any other municipal claim in a city or school district of the first class, a municipal claim shall be

revived in a similar manner provided under this subsection during each recurring period of 20 years until final judgment is entered upon the appeal and the undetermined amount of the municipal claim is fixed as specified under subsection (i).

(i) Order fixing amount.--

(1) When the final judgment is obtained upon an appeal filed under subsection (h), the court in which the municipal claim is pending shall, upon the petition of any interested party, make an order fixing the undetermined amount claimed in the claim at the amount determined by the final judgment upon the appeal. The amount of the municipal claim shall bear interest from the date of when final judgment was entered and shall remain at that fixed sum. Proceedings upon the municipal claim after the date of the order shall be conducted in the same manner as in other cases.

(2) If, during the final judgment upon an appeal filed under subsection (h), no amount is due upon the assessment for the recovery of which the municipal claim is filed, the court in which the claim is pending shall, upon the petition of any interested party, make an order striking the claim from the record and charge the cost incurred from the claim to the plaintiff.

(3) If the appeal filed under subsection (h) is discontinued, the court in which the municipal claim is pending shall, upon the petition of any interested party, make an order fixing the undetermined amount claimed at the amount of the original assessment. The amount shall bear interest from the date the assessment was originally payable and shall remain at that fixed sum.

(4) In a county of the second class and municipalities located within the county of the second class, interest at the applicable annual rate shall accrue monthly on all taxes, tax claims and municipal claims on the first day of the month for the entire month, or part of the month, when the taxes, tax claims or municipal claims are paid. Interest shall not be paid on a per diem basis. In a county of the second class, all unpaid county taxes shall become delinquent as provided by the laws of this Commonwealth shall include a penalty of 5% for the delinquency.

(5) In a county of the second class, collected taxes and tax claims shall be paid into the county treasury for the use of the county unless the taxes and tax claims are assigned. If the taxes and tax claims are assigned, there shall be no requirement that the taxes and tax claims collected by the assignee be paid into the county treasury.

(6) In a county of the second class, the county shall not be required to advance or pay any fee to the prothonotary for the filing of paper, an electronic filing or performing any services for the county of the second class relating to the filing, satisfaction, assignment, transfer, revival, amendment, enforcement and collection of taxes, tax claims or tax liens. The prothonotary shall accept filings by or on behalf of a county of the second class relating to the taxes, tax claims or tax liens and document the cost for providing the service performed on the docket. After the prothonotary documents the costs of providing the service performed on the docket, the county of the second class and its employees, representatives, agents or assignees shall collect the fee as part of the taxes, tax claims or tax liens.

§ 2512. Contents of claim, signature, county taxes, levies or assessments and affidavits of use-plaintiff.

(a) Contents of claim.--A claim must specify all of the following:

(1) The name of the municipality that filed the claim.

(2) The name and last known address, including the zip code, of the owner of the property against which the claim is filed.

(3) A description of the property against which the claim is filed.

(4) The authority under or by virtue of which the tax was levied or the work was done.

(5) Any of the following:

(i) The time for which the tax was levied.

(ii) The date on which the work was completed in front of the particular property against which the claim is filed.

(iii) The date of completion of the improvement where the assessment is made after completion.

(iv) The date of confirmation by the court where confirmation is required to be done.

(6) If filed to the use of a contractor, the date of and parties to the contract for doing the work.

(7) In other than tax claims, the kind and character of the work done for which the claim is filed and, if the work requires previous notice to the owner to do the work, when and how the notice was given.

(b) Signature and affidavit.--

(1) Except as provided in paragraph (2), a claim shall be signed by or have stamped on the claim a facsimile signature of the solicitor or chief executive officer of the claimant or the chief of the claimant's delinquent tax bureau.

(2) In counties of the second class, a claim for county taxes, levies or assessments shall be signed by or have stamped on the claim a facsimile signature of the county controller.

(3) In the case of a use-plaintiff, a claim must be accompanied by an affidavit that the facts specified in the claim are true to the best of the use-plaintiff's knowledge, information and belief.

§ 2513. Property included in claims and payment of portion.

(a) Tax claim.--The property described in a tax claim shall include the whole property against which the tax is levied.

(b) Municipal claim.--The property described in a municipal claim may include the whole contiguous property or only the lot in front of or upon which the work is done, or to which service is supplied, of a depth as is usual in properties of the same kind or character in the particular neighborhood.

(c) Property depth.--A municipal claim or tax claim shall not be invalid by reason of including in the claim property to a greater depth than specified in subsection (b). The court in which the claim is filed may, at any time prior to judgment on the claim, but not afterwards, upon it appearing that the claim includes property to a greater depth than is made subject to the claim, limit the lien of the claim to the proper depth.

(d) Narrow strip.--If an owner of property abutting a highway conveys or at any time has conveyed a strip of land abutting the highway that is too narrow to be used as a site for the smallest width dwelling allowed by law to be erected on the strip, the conveyance shall be deemed to be made for the purpose of evading liability for the municipal improvements made or to be made in the highway and:

(1) the assessment may be made, at the option of the municipality, against the lot as it existed before the division; and

(2) the lien may be filed against the entire lot as assessed, joining the owners of both the rear lot and the strip in the claim.

(e) Separate and distinct properties.--If a tax is levied on or filed against separate and distinct properties in one amount covering all the properties, the proper public authority shall, if tendered with all costs, if any, accept payment of the portion of the whole amount of the tax chargeable upon each or any of the separate and distinct properties charged together, according to the tax rate and assessed valuation of the properties. The payment and satisfaction of any one portion may be made without prejudice to the claim against the remainder.

§ 2514. Intervening or substituted defendants.

(a) Intervention.--An individual having an interest in the property, whenever acquired, may, after 10 days' prior notice in writing, by leave of court, intervene as a party defendant and make defense to a claim, with the same effect as if the individual had been originally named as a defendant in the claim filed.

(b) Substitution.--A claimant may, by writing filed at the claimant's costs, strike off the name of a defendant in the claim and may substitute as a defendant, and issue a scire facias against an individual who may have an interest in the claim as owner or an individual who is the personal representative of an owner who has died either before or after filing the claim. The substitution shall be without prejudice to any intervening rights.

§ 2515. Separate and distinct properties and apportionment of charge.

(a) Authorization of proper public authority.--If a tax claim or municipal claim is levied on or filed against separate and distinct properties as one estate, the proper public authority, either before or after filing the claim, may apportion the claim ratably upon the separate and distinct properties that are assessed together.

(b) Court authorization.--The court in which the claim under this section is filed, on proof that the properties were separate and distinct at the time the tax was levied or the work was done, shall, at any stage of the proceedings, apportion the charge against the properties.

(c) Effect of apportionment.--When apportioned, the claim shall be treated and considered in all respects as if separate and distinct claims

had been filed. Payment and satisfaction of a portion may be made without prejudice to the claim as against the rest.

§ 2516. Petition of defendant, payment into court, affidavit, rule, decree and jury trial.

(a) Petition.--A defendant named in a claim, or an individual allowed to intervene and defend against the claim, may, at any stage of the proceedings, present a petition, under oath or affirmation:

(1) specifying that the defendant has a defense in whole or in part to the claim and what constitutes the defense;

(2) requesting that a rule be granted upon the claimant to file an affidavit of the amount claimed and to show cause why the petitioner should not have leave to pay money into court; and

(3) in the case of a municipal claim, to enter security in lieu of the claim.

(b) Grant of rule.--Upon the presentation of the petition under subsection (a), the court shall grant the rule as requested.

(c) Payment and decree.--Upon the pleadings filed, or from the claim and the affidavit of defense, and without a petition if an affidavit of defense has been filed, the court shall:

(1) Determine how much of the claim is admitted or not sufficiently denied.

(2) Enter a decree that the claim shall be wholly discharged as a lien against the property described in the claim and shall be stricken from the judgment index upon:

(i) Payment by the petitioner to the claimant of the amount found to be due, with interest and costs on the amount found to be due, or payment into court if the claimant refuses to accept the payment by the petitioner.

(ii) Payment into court of a sum sufficient to cover the balance claimed, with interest and costs, or the entry of approved security in the case of a municipal claim.

(d) Jury trial.--After the proceedings specified under subsection (c), the material disputed facts, if any, shall be tried by a jury, without further pleadings, with the same effect as if a writ of scire facias had duly issued upon the claim, to recover the balance of the claim. The following shall apply:

(1) The jury shall be sworn to try the issues between the claimant and the parties who paid the money into court or entered security.

(2) The verdict, judgment and payment or execution shall follow as in other cases.

(3) The same course may be pursued, at the instance of an owner, if the claim has not been filed and the petitioner complies with the decree made. The following shall apply:

(i) The money paid into court or security entered shall stand in lieu of the claim.

(ii) Security entered shall not be filed, but if filed, shall be stricken off upon motion.

§ 2517. Time of lien.

(a) General rule.--

(1) A tax, municipal or other claim, if filed within the period specified in this chapter, shall remain a lien upon the properties until fully paid and satisfied if either a suggestion of nonpayment and an averment of default, in the form provided in this section is filed, either before or after judgment on the scire facias, or a writ of scire facias, in the form provided in this chapter, is issued to revive the claim, within each period of 20 years following:

(i) the date on which the claim was filed;

(ii) the date on which a writ of scire facias was issued on the claim;

(iii) the date on which a judgment was entered on the claim;

(iv) the date on which a previous suggestion of nonpayment and default was filed on the claim; or

(v) the date on which a judgment of revival was obtained on the claim.

(2) In a city and school district of the first class with respect to taxes and other municipal claims, the period within which the liens may be revived shall be 20 years.

(b) Form of suggestion and averment.--The suggestion and averment shall be in the following form, under the caption of the claim:

And now _____, the claimant, by _____, its solicitor, or by the chief of its delinquent tax bureau, or, in counties of the second class, by the county controller, suggests of record that the

above claim is still due and owing to the claimant, and avers that the owner is still in default for nonpayment thereof. The prothonotary is directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim, and also to index it upon the judgment index and on the locality index of the court, for the purpose of continuing the lien of the claim.

(c) Signature required on suggestion and averment.--

(1) Except as provided in paragraph (2), the suggestion and averment shall be signed by or have stamped on its face a facsimile signature of the solicitor or chief executive officer of the claimant or the chief of the claimant's delinquent tax bureau.

(2) In a county of the second class, the suggestion and averment shall be signed by, or have stamped on its face a facsimile signature of, the county controller.

(3) The prothonotary shall docket and index the suggestion and averments as directed.

(d) Legal effect of filing and indexing.--

(1) The filing and indexing of the suggestion and averment within 20 years or, in a city or school district of the first class within 20 years of filing the claim or the issuing of a writ of scire facias on the claim, or of any judgment on the claim, or of the filing of a prior suggestion and averment of default, shall have the same force and effect, for the purposes of continuing and preserving the lien of the claim, as if a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within the period.

(2) No writ of levavi facias shall be issued on a claim for the purpose of exposing the property lien to sheriff's sale, except after a judgment has been duly obtained on the claim, as provided in this section, and the judgment has been obtained within 20 years or, in a city or school district of the first class, within 20 years of the issuance of the levavi facias.

(3) When the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default, the claimant may, at any time within 20 years from the indexing or, in a city or school district of the first class within 20 years, issue a writ of scire facias on the claim reciting all suggestion and averment of default filed since the filing of the claim, and shall proceed on the lien, in the manner provided in this chapter, subject to the right of the owner to raise a defense arising since the last judgment.

(e) Loss of lien.--If a claim is not filed within the time required by this chapter or the claim is not prosecuted in the manner and at the time required by this chapter, the lien on real estate shall be wholly lost.

(f) Costs of filing claim.--The charge for filing the claim of a municipality or municipal authority shall include the cost of marking the record paid and satisfied. When the claim and costs are paid, the municipality or municipal authority shall notify the prothonotary.

(g) Revival of self-assessed tax liens.--Notwithstanding any other provision of this or any other act to the contrary, all judgments in favor of cities, counties and school districts of the first class relating to self-assessed taxes as defined in section 2 of the act of December 1, 1959 (P.L.1673, No.616), known as the Self-Assessed Tax Lien Act, may be revived in the manner provided for in this section.

§ 2518. Scire facias.

(a) Notice to file.--A party named as defendant in the claim filed, or admitted to defend the claim, may file and serve a notice on the claimant or counsel of record to issue a scire facias on the claim within 15 days after the notice.

(b) Striking of claim.--If no scire facias is issued within 15 days after the affidavit of service of notice is filed of record, the claim shall be stricken off by the court, upon motion.

(c) Compulsory nonsuit.--If a scire facias is issued in accordance with the notice, the claimant may not discontinue the claim or suffer a nonsuit on the trial of the claim, but a compulsory nonsuit shall be entered by the court if the claimant does not appear or withdraws or for any reason fails to maintain the claim.

§ 2519. Form of scire facias.

(a) General rule.--The claim shall be sued by writ of scire facias, and the form thereof shall be substantially as follows:

The Commonwealth of Pennsylvania to (names of the parties defendant), Greeting:

Whereas, The (city, borough, or other municipality, as the case may be,) on the _____ day of _____, A.D. 2____, filed its claim in our court of common pleas of _____ County; at No. _____, Term, 1____,

M.L.D., for the sum of \$____, with interest from the _____ day of _____, 2____, for (give the improvement, or that for which the claim is filed), against the following property situate in (give location and brief description of the property), owned or reputed to be owned by you.

And whereas, We have been given to understand that said claim is still due and unpaid, and remains a lien against the said property:

Now, you are hereby notified to file your affidavit of defense to said claim, if defense you have thereto, in the office of the prothonotary of our said court, within 15 days after the service of this writ upon you. If no affidavit of defense be filed within said time, judgment may be entered against you for the whole claim, and the property described in the claim be sold to recover the amount thereof.

Witness the Honorable _____, President Judge of our said court, this _____ day of _____, A.D. 2____.

Prothonotary.

(Seal.)

(b) Addition of parties and amicable scire facias.--

(1) When the claimant files a praecipe for the writ of scire facias, the claimant may direct the prothonotary to add and insert the names of any individual whom the claimant may know to have an interest in the premises, and the scire facias shall be issued containing the additional names.

(2) The parties to the claim may agree on an amicable scire facias, upon terms as may be agreed to, with the same effect as if a scire facias, in the form under subsection (a), had been duly issued, served and returned; or the defendants, or any of them, may waive the issue of a scire facias and appear with like effect as if the scire facias had been issued and served.

§ 2520. Duties of sheriff.

(a) Addition of parties.--The sheriff to whom the scire facias is given for service shall add to the writ, as parties defendant, all individuals, other than those named in the writ, who may be found in possession of the property described, or any part of the property. In case no one is found in possession by the sheriff, the sheriff shall post a true copy of the writ on the most public part of the property. The sheriff shall add to the writ the names of any individual, not already named in the writ, who the sheriff ascertains to have an interest in the property described, or any part of the property, which writ shall then be further served as follows:

(1) By serving, as in the case of a summons, the individuals named in or added to the writ as may be found in the county in which the writ issued.

(2) Where the sheriff has information that the individuals named in or added to the writ, or any of them, may be found in any other county of this Commonwealth, the individual shall be served, as in the case of a summons, by the sheriff of the county in which the individual may reside, and the sheriff shall be deputized for that purpose by the sheriff of the county in which the writ issues.

(3) If the individuals named in or added to the writ cannot be found by the sheriff, their residences within this Commonwealth are unknown to the sheriff or they reside outside this Commonwealth, then the writ may be served by advertising a copy or a brief notice of the contents of the writ once a week for three successive weeks in one newspaper of general circulation in the county and in the legal periodical, if any, designated by the court for that purpose. Any individual may accept service of the writ, in person or by counsel, with the same effect as if duly served by the sheriff.

(b) Legal effect of advertised writ; service, posting and return.--

(1) Where the writ or the brief notice of the contents of the writ have been advertised as provided in this chapter, it shall have the same effect as if the writ had been personally served.

(2) All individuals named in or added to the writ, as to whom publication has been made, shall file an affidavit of defense, as required by the writ, within 15 days after the date of the last weekly advertisement of the writ.

(3) All individuals named in or added to the writ who have been served as in case of a summons shall file an affidavit of defense, as required by the writ, within 15 days after service. Service of the writ may be made at any time within three months from the date on which the writ was issued, but the writ shall be served and returned at the earliest date possible, and the plaintiff may require return of the writ at any time, whether or not the writ was actually served.

§ 2521. Judgment for want of affidavit of defense, assessment of damages, rule for judgment and reply.

(a) Failure to file affidavit or defense.--If a defendant fails to file an affidavit of defense within the time designated, a default judgment may be entered and damages assessment by the prothonotary of the court in which the claim was filed. The damages assessment shall include a fee for collection to plaintiff's attorney in accordance with section 2504 (relating to claims assessment).

(b) Insufficient affidavit of defense.--A rule may be taken for judgment if a defendant files an insufficient affidavit of defense against a claim, or for so much of the claim as is insufficiently denied, with leave to proceed for the remainder of the claim.

(c) Oath of plaintiff.--A defendant may, by rule, require the plaintiff to reply, under oath or affirmation, to the statements in the affidavit of defense, and, after the reply has been filed, may move for judgment on the whole record.

§ 2522. Evidence, compulsory nonsuit, verdict and attorney fee.

The following shall apply:

(1) Tax claims and municipal claims shall be prima facie evidence of the facts averred in all cases.

(2) Averments in both tax and municipal claims shall be conclusive evidence of the facts averred, except in the particulars in which those averments shall be specifically denied by the affidavit of defense, or amendment to the averment duly allowed.

(3) A compulsory nonsuit, upon trial, shall be equivalent to a verdict for the defendant, whether the plaintiff appeared or not.

(4) If a plaintiff recovers a verdict, upon trial, in excess of the amount admitted by the defendant in the defendant's affidavit of defense or pleadings, the plaintiff shall be entitled to reasonable attorney fees in accordance with section 2504 (relating to claims assessment).

§ 2523. Scire facias to revive judgment, form and fee for additional names.

The following shall apply to the revival of judgment:

(1) The judgment upon a claim may be revived by writ of scire facias in the following form:

The Commonwealth of Pennsylvania, to C.D. and E.F., Greeting:

Whereas, A.B., claimant, on the _____ day of _____, A.D. 2____, recovered judgment in the sum of _____ dollars against you, that the following described property be sold to satisfy the same:

(Here describe property in full.)

And whereas, We have been given to understand that though judgment, as aforesaid, was rendered, yet the amount thereof is still due and unpaid, and remains as a lien against said property. Now, you are hereby notified to file your affidavit of defense to A.B.'s claim upon said judgment, if any defense you have, in the office of the prothonotary of our said court, within 15 days after service of this writ upon you. If no affidavit of defense be filed within that time, said judgment may be revived against you for the amount set forth, with interest from the time of its recovery, and said property to be sold to recover the whole thereof.

Witness the Hon _____, President Judge of our said court, this _____ day of _____, A.D. 2____.

Prothonotary.

(Seal.)

(2) The parties to a judgment may agree upon an amicable scire facias to revive or to an amicable judgment of revival upon agreed upon terms, with the same effect as if a scire facias in the form under paragraph (1) had been duly issued, served and returned.

(3) Where the name of more than one defendant is included in the scire facias described in this section, the prothonotary shall be entitled to an additional fee of 25¢ for each extra name.

§ 2524. Service of scire facias to revive judgment and procedure.

A writ of scire facias for revival under section 2523 (relating to scire facias to revive judgment, form and fee for additional names) shall be served, and the proceedings conducted, to individuals found by the sheriff and in the manner provided under this chapter for the original scire facias sur claim. A return of nihil habet to the writs to revive shall be equivalent to personal service upon the defendants. The practice and procedure following the scire facias to revive, so far as applicable, shall be the same as in the case of the original scire facias to collect the claim.

§ 2525. Judgment for plaintiff and costs.

All judgments for the plaintiff, whether on the original scire facias or a scire facias to revive, shall be de teris and shall be recovered out of the property bound by lien. The costs, whether as against the plaintiff or

the defendant defending against the claim, may be recovered by execution as in personal actions.

§ 2526. Sequestrator and supersedeas.

(a) General rule.--Upon the expiration of 20 days from the recovery of judgment, whether on the original scire or a scire facias to revive, the court shall, upon the petition of the plaintiff, appoint a sequestrator of the rents, issues and profits of the property bound by the judgment, unless in the meantime an appeal be taken, and approved security given to operate as supersedeas.

(b) Essential property limitation.--Subsection (a) shall not apply to property essential to the business of a quasi-public corporation.

(c) Rule for delivery.--The following shall apply:

(1) If the owner against whom a judgment is entered retains possession of the sequestered property, or the party in possession refuse to pay a fair rent, the court shall, upon petition filed and served, grant a rule awarding a writ in the nature of a writ of habere facias possessionem directed to the owner or the party in possession commanding delivery of the possession to the sequestrator within 15 days.

(2) Paragraph (1) shall not apply to property occupied by the owner and the owner's family as a home. The owner shall be entitled to retain possession for a period of one month from the time the petition was served upon the owner.

(d) Sequestrator.--The following shall apply to a sequestrator:

(1) A sequestrator, once appointed, shall have power to perform the following:

(i) Retain possession as sequestrator until all the taxes owing at the time of appointment shall have been collected or paid.

(ii) Lease retained property for a period not exceeding one year with the usual privilege of renewal or termination thereof upon three months notice.

(2) The sequestrator may:

(i) Make reasonably necessary repairs to the property to restore or maintain the property in a tenantable condition.

(ii) Advertise for tenants and collect the costs of repairs and advertising from rentals collected or from a redeeming owner.

(iii) Appoint an agent to collect the rentals of the property and pay the agent commissions for rent collections.

(e) Deduction of costs.--All commissions, costs and necessary expenses shall be deducted from the rents collected before paying the net balance towards the taxes.

(f) Redemption of property.--An owner of the property may redeem the property from the sequestrator and be entitled to possession upon payment of the net amount of taxes then owing upon the property after payment of the commissions, costs and expenses of the sequestration proceedings.

(g) Payment of all taxes.--Upon payment of all taxes owing, either by a redeeming owner or by collection of rentals, the sequestrator shall transfer the possession of the property to the owner, subject to any existing lease or leases given or executed by the sequestrator. A lease or leases executed by the sequestrator shall be assigned to the owner.

(h) Power of sequestrator.--Sequestrators appointed under this chapter shall exercise all powers and use all remedies conferred by the laws of this Commonwealth upon sequestrators in other proceedings, as applicable.

§ 2527. Dockets.

The following shall apply:

(1) Every claim filed, scire facias issued, verdict recovered and judgment entered in accordance with this chapter shall be docketed in the appropriate docket, and, except as provided under paragraphs (2) and (3), shall be entered upon the judgment index of the court.

(2) A note shall be made on the docket when a claim is stricken off or satisfied, the name of a defendant stricken out, a scire facias discontinued or quashed or a verdict or judgment stricken off or satisfied.

(3) In counties in which the filing of liens for county taxes was authorized by law prior to June 4, 1901, the method of filing, entering, docketing and indexing liens for county, road, poor, school, borough, school building, township and other taxes assessed in boroughs and townships in the counties shall remain and be continued in the same manner and form as in use prior June 4, 1901, notwithstanding the passage of the same.

§ 2528. Locality index, unpaid tax list and consumer reporting agencies.

(a) Prothonotaries.--Each prothonotary of the courts of common pleas shall keep a locality index containing all tax or municipal claims filed. Upon a written order for the index, the prothonotary shall give a certificate of search, showing all the claims filed against any property. The prothonotary shall be reimbursed the sum of 25¢, and 5¢ additional for each claim certified, for keeping the locality index.

(b) Public record.--In addition to the requirements of subsection (a), the following shall apply:

(1) The department or public official responsible for collection of delinquent taxes in a municipality that collects delinquent taxes under this chapter and the county treasurer in a county of the second class shall maintain as a public record a list of all properties against which taxes levied in a prior taxable year remain unpaid and the following shall apply:

(i) The list shall include the following information:

(A) A description of the property.

(B) The property's location.

(C) The name and last known address, including the zip code, of the owner of the property.

(D) The amount of unpaid taxes, penalties and interest due for all years other than the current tax year.

(ii) It shall be noted on the list if taxes on the list are paid, another settlement had been agreed to or if a tax sale of the property is held.

(2) The department or public official responsible for collection of delinquent taxes may report any nonpayment of taxes, including liens, to one or more consumer reporting agencies, as defined by the Fair Credit Reporting Act (Public Law 91-508, 15 U.S.C. § 1681 et seq.).

§ 2529. Stay of proceedings.

(a) General rule.--At any time before the property is sold, approved security may be entered for a stay of proceedings until the expiration of one year after the date of filing the claim.

(b) Admission by owner.--The entry of approved security by the owner, before the entry of judgment on the claim, shall be equivalent to an admission by the owner that the property is liable for the claim.

(c) Expiration of stay.--After the stay has expired, the claimant may proceed upon the claim and the bond given, separately or simultaneously.

§ 2530. Execution of judgment.

(a) Writ of levavi facias.--Execution upon a judgment recovered upon a claim, except where the property named is essential to the business of a quasi-public corporation, shall be by writ of levavi facias in the following form:

The Commonwealth of Pennsylvania:

To the sheriff of _____ County, Greeting:

Whereas, A.B., claimant, on the _____ day of _____, Anno Domini 2____, recovered judgment in the sum of _____ dollars, with interest from the _____ day of _____, Anno Domini 2____, and the costs amounting to _____ dollars, in our court of common pleas of said county, of _____ Term _____, No. _____, M.L.D. against C.D. and E.F., that the following described property in your bailiwick be sold to satisfy the same, viz.:

(Here describe the property in full.)

Now, this is to command you that you expose the said property to sale by public vendue and outcry, after due advertisement according to law, and that return of the sale, with the moneys realized thereby and this writ, you make to our said court on the _____ day of _____, Anno Domini 2____.

Witness the Honorable _____, President Judge of our said court, this _____ day of _____, Anno Domini 2____.

(b) Sale of property.--Advertisement of a sale shall be made, and the deed to the purchaser shall be executed, acknowledged and delivered, as in other real estate sales by the sheriff.

§ 2531. Price and requirements of sale.

(a) Upset price.--The plaintiff in a judgment recovered on a tax or municipal claim may, upon paying the sheriff's costs, fix an upset price to be realized at a sale under the judgment sufficient to pay all taxes and municipal claims and all accrued but unfilled taxes and claims in full.

(b) Requirements.--No sale shall be made on a judgment recovered on a tax or municipal claim except for a sum sufficient to pay all taxes and municipal claims in full, except as provided under this section, and the plaintiff in the judgment may purchase the property at the sale, for that sum, if no one bids a higher price on the property, except when a

municipality is the real plaintiff in the judgment, and no one else bids a sum sufficient to pay the sheriff's costs and all taxes and municipal claims in full, the municipality may purchase the property for the sheriff's costs on the property, subject to the lien of all taxes and municipal claims and liens not otherwise discharged by the sale under existing law.

(c) Purchase by municipality.--Upon a purchase by a municipality for the sheriff's costs, any income received from the property by the municipality in excess of that necessary for the upkeep of the property, the payment of insurance premiums on the property and the cost of improvements to the property, shall be applied to the payment of the costs of the sale, then to payment of all taxes liened and unliened, in the order of their priority, the oldest being paid first, and then to municipal claims in the same order.

§ 2532. Property of quasi-public corporations.

(a) General rule.--Where judgment is recovered upon a claim on property named that is essential to the business of a quasi-public corporation, the claimant shall have execution on the claim as in other cases of judgments against quasi-public corporations.

(b) Determination of value.--Upon the distribution of funds realized by a sale of the franchises and the whole or any part of the assets of the quasi-public corporation, the court shall determine the actual value of the property bound by the lien, and the claim shall be preferred, with the other claims, to the extent of the value determined.

§ 2533. Sale of property subject to lien of tax or municipal claims.

(a) Divestment by judicial sale.--The lien of a tax or a municipal claim:

(1) Shall not be divested by a judicial sale of the property liened where the amount due is indefinite or undetermined or where the amount is not due and payable.

(2) Shall not be divested by a judicial sale of the property liened if the proceeds of the sale may be insufficient to discharge the lien of a tax or municipal claim.

(b) Other tax and municipal claims.--Except as otherwise provided, shall a judicial sale of the property liened, under a judgment obtained on a tax or municipal claim, discharge the lien of a tax or municipal claim other than that upon which the sale is had, except to the extent that the proceeds realized are sufficient for its payment after paying the costs, charges and fees, including reasonable attorney fees, expenses of the sale and of the writ upon which it was made, and any other prior tax or municipal claims to which the funds may first be applicable.

(c) Priority.--The following shall apply:

(1) On any sale being made, all tax claims shall be paid out of the proceeds as follows:

(i) First, the oldest tax having priority.

(ii) Second, municipal claims, the oldest in point of lien having priority.

(2) Mortgages, ground rents and other charges on or estates in the property which were recorded, or created where recording is not required, before any tax other than for the current year accrue, or before the actual doing of the work in front of or upon the particular property for which the municipal claim is filed, shall not be disturbed by the sale unless a prior lien is also discharged by the sale.

(d) Right of plaintiff to postpone sale.--The following shall apply:

(1) In case the property is not sold for a sum sufficient to pay all taxes and municipal claims, together with the costs of the taxes and municipal claims, the plaintiff may postpone the sale, without payment of costs, and file a petition stating:

(i) That more than one year has elapsed since the filing of the claim.

(ii) That the plaintiff has exposed the property to sheriff's sale under the claim and was unable to obtain a bid sufficient to pay the upset price in full.

(iii) If the plaintiff is not a municipality, that the plaintiff will bid sufficient to pay the upset price, and upon the production of searches or a title insurance policy showing the state of the record and the ownership of the property, and of all tax and municipal claims, mortgages, ground rents or other charges on or estates in the land, the court shall grant a rule upon all parties shown to be interested to appear and show cause why a decree should not be made that the property be sold, freed and cleared of the property's respective claims, mortgages, charges and estates of any kind.

(2) If, upon a hearing, the court is satisfied that service has been made of the rule upon the parties respondent in the manner provided in section 2545 (relating to rule to show cause, decree, service and notice), and that the facts stated in the petition are true, the court shall order and decree that the property be sold at a subsequent sheriff's sale day to be fixed by the court without further advertisement, and the court may fix a common date and place of sale for more than one property if the court deems a joint sale to be advantageous.

(e) Sheriff's sale.--All property at sheriff's sale shall be sold, clear of all claims, liens, mortgages, charges and estates of any kind, to the highest bidder at the sale, and the proceeds realized from the sheriff's sale shall be distributed in accordance with the priority of claims.

(f) Purchaser.--The purchaser at a sheriff's sale shall take an absolute title to the property sold, free and discharged of all tax and municipal claims, liens, mortgages, charges and estates of any kind, and subject only to the right of redemption as provided by law.

(g) Counties of the second class.--In counties of the second class, upon return of the writ upon which the sale was made, upon the expiration of the statutory right of redemption and if no petition to set aside the sale is pending, the prothonotary shall satisfy all tax claims and municipal claims divested by the judicial sale in accordance with the order of court authorizing the sale.

(h) Interested individuals.--An individual interested may, at any time before the sale, pay the petitioner the whole of the petitioner's claim, with interest, costs, charges, expenses, fees and attorney fees, whereupon the proceedings on the petition shall at once determine.

(i) Testimony.--For the purpose of enabling the petitioner in a proceeding to give the notice required, the petitioner may take the testimony of the defendant in the claim, or of any other individual whom the petitioner may have reason to believe has knowledge of the whereabouts of any of the parties respondent, either by deposition, commission or rogatory letters.

(j) Purchase by municipality.--The following shall apply:

(1) A municipality, being a claimant, shall have the right to bid and become the purchaser of the property at a sale and, while the property purchased is held and owned by a county, city, borough, incorporated town, township, school district or a body politic and corporate created as a municipal authority under law, the property shall not be subject to tax claims, unless the property is redeemed by the former owner or other individual having the right to redeem, as provided by law.

(2) If a municipality becomes the purchaser at sale, the former owner or other individual desiring to redeem shall pay all taxes and municipal claims accrued and chargeable against the property prior to the sale of the property, together with the costs and interest on the claims, and also all taxes and claims, whether filed or not, which would have accrued and become chargeable against the property had the property been purchased at the sale by a party other than the municipality.

(k) Final judgment.--Upon the delivery by the sheriff of a deed for a property sold under a tax or municipal claim, the judgment upon which the sale was had shall be final and conclusive as to all matters of defense which could have been raised in the proceeding, including payment, and no error or irregularity in obtaining or entering of the judgment shall affect the validity of the judgment.

§ 2534. Counties of the first class, recovery of judgment and sale free from claims.

(a) Additional remedy.--In addition to the remedy under sections 2530 (relating to execution of judgment) and 2533 (relating to sale of property subject to lien of tax or municipal claims), if a claimant in a county of the first class has obtained a judgment on a tax or municipal claim, the claimant may file a petition in the court in which the proceeding is pending. The petition shall state the facts necessary to show the right to sell, together with searches or a title insurance policy, showing the state of the record, ownership of the property and of all tax and municipal claims, mortgages, ground rents or other charges on, or estates in, the land, as shown by the official records of the county or the political subdivision in which the real estate is located.

(b) Hearing.--Upon showing the facts and records under this section, the court shall conduct a hearing with all interested parties to appear and show cause why a decree should not be made that the property be sold, freed and cleared of the respective claims, mortgages, ground rents, charges and estates and without any right of redemption after the sale. If

upon a hearing, the court is satisfied that service has been made under this subsection upon all interested parties in accordance with section 2545 (relating to rule to show cause, decree, service and notice) and that the facts stated in the petition are true, the court shall order and decree that the property be sold at a subsequent sheriff's sale at a time to be fixed by the claimant, at least one year after the date of the decree, clear of all claims, liens, mortgages, ground rents, charges and estates of any kind, to the highest bidder at the sale.

(c) Proceeds of the sale and final discharge of claims.--Proceeds of the sale shall be distributed in accordance with the priority of the claims, liens, mortgages, ground rents, charges and estates, and the purchaser at the sale shall take and forever thereafter have an absolute title to the property sold, free and discharged of all tax and municipal claims, liens, mortgages, ground rents, charges and estates of any kind and not subject to any right of redemption.

(d) Advertisement.--Advertisement of the sale shall be made and the deed to the purchaser shall be executed, acknowledged and delivered as in other real estate sales by the sheriff, provided that any individual interested may at any time prior to the proposed sale pay all the costs of the proceedings, including a reasonable fee for the necessary title search or title insurance policy, to be fixed by the court and all tax and municipal claims, penalties and interest charged against the property. If an interested individual pays all costs under this subsection prior to the sale, notice of this provision shall be included with each service and publication of the rule.

(e) County of second class.--In addition to the remedy prescribed in section 2530, whenever a municipality in a county of the second class has obtained a judgment on a tax or municipal claim, the county may file a petition in the court in which the proceeding is pending. The petition shall state the facts necessary to show the right to sell, a title search or a title insurance policy showing the state of the record and the ownership of the property and all tax and municipal claims, mortgages, ground rents or other charges on, or estates in, the land as shown by the official records of the county or the political subdivision in which the real estate is located.

(f) Hearing.--The court shall conduct a hearing with all parties named in the petition to appear and show cause why a decree shall not be made to sell the property free and clear of all claims, mortgages, ground rents, charges and estates of any kind and without any right of redemption after the sale. If, upon a hearing, the court is satisfied that proper service has been made on all interested parties in accordance with section 2545 and that the facts stated in the petition are true, the court shall order and decree that the property be sold at a subsequent sheriff's sale at a time fixed by the claimant, clear of all claims, liens, mortgages, ground rents, charges and estates of any kind, to the highest bidder at the sale.

(g) Proceeds of sale.--Proceeds realized from the sale shall be distributed in accordance with the priority of claims, liens, mortgages, ground rents, charges and estates and the purchaser shall take and forever thereafter have an absolute title to the property sold, free and discharged of all tax and municipal claims, liens, mortgages, ground rents, charges and estates of any kind and not subject to any right of redemption.

(h) Advertisement.--Advertisement of the sale shall be made and the deed to the purchaser shall be executed, acknowledged and delivered as in other real estate sales by the sheriff. An interested individual may, at any time prior to the proposed sale, pay all the costs, charges, expenses and fees and attorney fees of the proceedings, including the cost for the title search or title insurance policy, and all tax and municipal claims charged against the property, whereupon the sale proceedings shall at once terminate. Notice of this provision shall be included with each service of the rule. In counties of the second class, upon return of the writ on which the sale was made and if no petition to set aside the sale is pending, the prothonotary shall satisfy all tax claims and municipal claims divested by the judicial sale.

(i) Deposition, commission or letter permitted.--For the purpose of enabling the petitioner in a proceeding to give the notice required, the court may take the testimony of the defendant in the claim, or of any other individual whom the court may have reason to believe has knowledge of the whereabouts of any of the parties respondent, either by deposition, commission or rogatory letters.

(j) Claimant permitted to bid.--A claimant shall have the right to bid and become the purchaser of the property at a sale. If the purchaser is a

taxing authority within the county, the property, while held and owned by the authority, shall not be subject to tax claims.

(k) Deed delivery.--Upon the delivery by the sheriff of a deed for a property sold under the provisions of this section, the judgment upon which the sale was had shall be final and conclusive.

§ 2535. Cities of the first class, recovery of judgment and sale free from claims.

(a) Additional remedies.--In addition to the remedies prescribed in sections 2530 (relating to execution of judgment), 2533 (relating to sale of property subject to lien of tax or municipal claims) and 2534 (relating to counties of the first class, recovery of judgment and sale free from claims), in cities of the first or second class and counties of the second class and municipalities located within counties of the second class, if a claimant has filed a tax or municipal claim in accordance with the requirements of this chapter, the claimant may file a petition in the court in which the proceeding is pending, stating the facts necessary to show the right to sell, together with searches or a title insurance policy, showing the state of record and the ownership of the property and of all tax and municipal claims, liens, mortgages, ground rents or other charges on, or estates in, the land, as shown by the official records of the city, county or political subdivision in which the real estate is located.

(b) Hearing.--Upon a showing under this section, the court shall conduct a hearing with all interested parties appearing to show cause why a decree should not be made that the property be sold, freed and cleared of the respective claims, liens, mortgages, ground rents, charges and estates of any kind.

(c) Sale.--If, upon a hearing, the court is satisfied that the facts stated in the petition are true and service has been properly made in accordance with section 2545 (relating to rule to show cause, decree, service and notice), the court shall order and decree that the property be sold at a subsequent sheriff's sale at a time to be fixed by the claimant, clear of all claims, liens, mortgages, ground rents, charges and estates of any kind, to the highest bidder at the sale.

(d) Proceeds of sale.--After payment of the tax or municipal lien, any remaining proceeds shall be distributed in accordance with the priority of the remaining claims, liens, mortgages, ground rents, charges and estates and the purchaser at the sale shall take and forever thereafter have an absolute title to the property sold, free and discharged of all tax and municipal claims, liens, mortgages, ground rents, charges and estates of any kind, subject only to the right of redemption as provided by law. The date of the sale shall be advertised in at least one newspaper of general circulation in the county in which the property is located and in a legal periodical published therein, if any.

(e) Deed.--The deed to the purchaser shall be executed, acknowledged and delivered as in other real estate sales by the sheriff. Deeds for property exposed for a sale under this section shall not be executed, acknowledged and delivered any sooner than 30 days nor later than 120 days after the purchaser pays the balance due to the sheriff for a sale held under this section. A individual interested may, at any time prior to the proposed sale, pay all the costs of the proceedings, including the cost for the title search or title insurance policy, and all tax and municipal claims, penalties and interest thereon, charged against the property, and the proceedings on the petition shall at once determine.

(f) Petition to prohibit transfer.--A city of the first or second class may, within 30 days of a sale held under this section, petition the court of common pleas to prohibit the transfer of a deed for any property exposed for any sale under this chapter that is located in that city to any purchaser who is proven to meet any of the criteria specified in subsection (g).

(g) Contents of petition.--The following shall apply:

(1) The petition of a city of the first or second class shall allege that the purchaser has, over the three years preceding the filing of the petition, exhibited a course of conduct which demonstrates that a purchaser permitted an uncorrected housing code violation to continue unabated after being convicted of the violation and:

(i) failed to maintain property owned by the purchaser in a reasonable manner such that the property posed a threat to health, safety or property; or

(ii) permitted the use of property in an unsafe, illegal or unsanitary manner such that the property posed a threat to health, safety or property.

(2) An individual who acts as an agent for a purchaser who sought to avoid the limitations placed on the purchase of property

by this section shall be subject to the restrictions imposed by this section.

(3) Allegations under this subsection shall be proved by a preponderance of the evidence. In ruling on the petition, a court shall consider whether violations were caused by malicious acts of a current nonowner occupant and the control exercised by a purchaser in regard to the ownership interest or rights with other properties.

(h) Name change.--A change of name or business status shall not defeat the purpose of this section.

(i) Deposition, commission or letters permitted.--For the purpose of enabling the petitioner in a proceeding to give the notice required, the court may take the testimony of the defendant in the claim, or of any other individual whom the court may have reason to believe has knowledge of the whereabouts of any of the parties respondent, either by deposition, commission or rogatory letters.

(j) Claimant permitted to bid.--A claimant may bid and become the purchaser of the property at a sale, and if the purchaser is a taxing authority within the city or county, the property, while held and owned by the taxing authority, shall not be subject to tax claims unless the property is redeemed by the former owner or other individual having the right to redeem, as provided by law. If a city, county or a taxing authority within the city or county becomes the purchaser at the sale, the former owner or other individuals, desiring to redeem, shall pay all taxes and municipal claims accrued and chargeable against the property prior to the sale, together with costs and interest, and also all taxes and claims, whether filed or not, which would have accrued and become chargeable against the property had the same been purchased at the sale by some party other than the city, county or a taxing authority within the city or county.

(k) Final judgment.--Upon the delivery by the sheriff of a deed for any property sold under this section, the judgment upon which the sale was had shall thereupon and forever thereafter be final and conclusive, and the validity of the judgment shall not be questioned for any cause.

(l) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Purchaser." An individual, partner, limited or general partner, shareholder, trustee, beneficiary any other individual with an ownership interest or right in a business association, sole proprietorship, partnership, limited partnership, S corporation, C corporation, limited liability company or corporation, trust, business trust or any other business association.

"Uncorrected housing code violation." A conviction of a violation of a building, housing, property maintenance or fire code which is not remedied within six months of conviction.

"Violation." A conviction under a building, housing, property maintenance or fire code which posed a threat to health, safety or property, but not a conviction deemed by a court to be de minimis.

§ 2536. Joining, service and sale.

(a) Joining properties.--If, with regard to two or more properties, a municipality is authorized under section 2533 (relating to sale of property subject to lien of tax or municipal claims), 2534 (relating to counties of the first class, recovery of judgment and sale free from claims) or 2535 (relating to cities of the first class, recovery of judgment and sale free from claims) to petition the court for the individual sale of each property, free and clear of the property's respective claims, liens, mortgages, charges and estates of any kind, the municipality may join any number of the properties in a single petition. The court may grant a rule upon all parties shown to be interested in any of the properties to appear and show cause why a decree should not be made that the properties be sold together in one sale, free and clear of the properties' respective claims, mortgages, charges and estates of any kind.

(b) Service and sale.--If, upon a hearing, the court is satisfied that service has been made of the rule upon the parties in the manner provided in section 2545 (relating to rule to show cause, decree, service and notice) and that the facts stated in the petition are true, the court shall order and decree, subject to applicable restrictions and limitations in section 2533, 2534 or 2535, that the properties be sold together at one sale at a subsequent sheriff's sale day, to be fixed by the court without further advertisement, clear of all claims, liens, mortgages, charges and estates of any kind, to the highest bidder at the sale. The following shall apply:

(1) If a judicial sale of multiple properties is ordered, any party shown to be interested in a particular property may, at any time before the sale, pay the municipality the whole of the claim relating to

the particular property, with interest, costs, charges, expenses, fees and attorney fees, whereupon the proceedings on petition with regard to that property shall at once determine.

(2) A judicial sale of multiple properties may not diminish the right of redemption with regard to any particular property that is a part of the sale.

§ 2537. Redemption.

(a) Process.--Except as provided under subsection (c), the owner of a property sold under a tax or municipal claim, the owner's assignees or any party whose lien or estate has been discharged may redeem the property if the property is not located in a city of the second class or a county of the second class or a municipality located within the county of the second class at any time within nine months from the date of the acknowledgment of the sheriff's deed and if the property is located in a city of the second class or a county of the second class or a municipality located within the county of the second class at any time within three months from the date of the acknowledgment of the sheriff's deed, in accordance with the following:

(1) The owner, assignee or a party whose lien or estate been discharged shall pay all the following:

(i) The amount bid at the sale.

(ii) The cost of drawing, acknowledging and recording the sheriff's deed.

(iii) The amount of all taxes and municipal claims, whether not entered as liens, if actually paid.

(iv) The principal and interest of estates and encumbrances not discharged by the sale and actually paid.

(v) The insurance upon the property.

(vi) Other charges and necessary expenses of the property, actually paid, less rents or other income from the property.

(vii) A sum equal to interest at the rate of 10% per annum from the time of each of the payments.

(2) If both owner and creditor desire to redeem, the owner shall have the right to do so if the owner pays the creditor's claim in full.

(3) If more than one creditor desires to redeem, the creditor who was lowest in lien at the time of sale shall have the prior right, upon payment in full of the claim of a creditor higher in lien.

(4) Within nine months if the property is not located in a city of the second class or a county of the second class or a municipality located within the county of the second class or within three months if the property is located in a city of the second class or a county of the second class or a municipality located within the county of the second class, the creditor who was lower in lien may redeem from a creditor higher in lien who has already redeemed and the owner may redeem from the higher and so on throughout, in each case by paying the claim of the creditor whose right was higher.

(5) The creditor higher in lien may redeem from a creditor lower in lien, unless the claim is paid. In each case, the right must be exercised within the time specified under this section.

(b) Redemption.--An individual entitled to redeem may present a petition to the proper court in accordance with the following:

(1) The petition shall state the facts and readiness to pay the redemption money.

(2) The court shall grant a rule to show cause why the purchaser should not reconvey to the individual the premises sold.

(3) If, upon hearing, the court is satisfied of the facts, the court shall make the rule absolute, and, upon payment being made or tendered, shall enforce it by attachment.

(c) Vacant property.--Notwithstanding any other provision of law to the contrary, in a city, township, borough or incorporated town, there shall be no redemption of vacant property by an individual after the date of the acknowledgment of the sheriff's deed. For the purposes of this subsection, property shall be deemed to be "vacant property" unless the property was continuously occupied by the same individual or basic family unit as a residence for at least 90 days prior to the date of the sale and continues to be occupied on the date of the acknowledgment of the sheriff's deed.

§ 2538. Assignment and payment.

(a) Assignment.--A tax or municipal claim filed or to be filed under this chapter and any judgment recovered may be assigned or transferred to a third party, either absolutely or as collateral security, for an amount to be determined by the municipality or other assignor in accordance with the following:

(1) The lien of the tax or municipal claim assigned shall continue as a tax or municipal claim in favor of the assignee.

(2) An assignee, upon assignment or reassignment of the tax or municipal claim not originating as a use-plaintiff claim of a non-municipality, shall have and enjoy the same rights, privileges and remedies as were held by the assigning municipality to enforce and collect the assigned tax or municipal claim under this chapter or any other laws applicable to the collection and enforcement of tax or municipal claims.

(3) A third party, upon assignment or reassignment of a use-plaintiff municipal claim originating with a nonmunicipality, shall have and enjoy the same rights, privileges and remedies as the original holder thereof to enforce and collect the assigned use-plaintiff municipal claim under the provisions of this chapter and any other laws applicable to the collection and enforcement of use-plaintiff municipal claims.

(4) A defendant, upon the assignment or reassignment of the tax, municipal claim or use-plaintiff municipal claim to a third party, shall have and enjoy the same rights and defenses under the provisions of this chapter and any other laws applicable to the collection and enforcement of taxes, tax claims, municipal claims and use-plaintiff municipal claims against the assignee that the defendant held against the assignor.

(b) Payment.--If the tax or municipal claim has been paid in full by one of several defendants, whether originally named as a defendant or allowed to intervene and defend, the claim shall be satisfied of record as to that defendant, and marked to that defendant's use as against the other defendants, pro rata, according to their respective interests in the property bound by the claim.

§ 2539. Amendments and timing.

(a) Amendment.--A claim, petition, answer, replication, scire facias, affidavit of defense or other paper filed of record may be amended, by agreement of the parties or by leave of the court upon petition for that purpose, under oath or affirmation specifying the amendment desired, that the averments are true in fact and that by mistake they were omitted from or wrongfully stated in the particulars as to which amendment is desired. The following shall apply:

(1) The amendment shall be of right, saving intervening rights.

(2) No amendment of the claim shall be allowed after the time for the amendment's filing has expired, if the amendment undertakes to substitute an entirely different property from that originally described in the claim.

(3) The description of the property may be amended so as to be made more accurate, as in other cases of amendment.

(b) Timing.--The court may, for cause shown and filed of record, enlarge the time for filing the affidavit of defense, answer or replication, for issuing a scire facias or for entering security, by rule or special or standing order.

(1) A judgment by default may be opened by the court, upon cause shown by intervenors or other defendants, as in other cases.

(2) No enlargement of the time for issuing a scire facias shall extend beyond the time provided for preserving or retaining the lien.

§ 2540. General conduct.

The following shall apply to proceedings under this chapter:

(1) A rule granted under this chapter may be made returnable when directed, either therein or by rule of court, or by special or standing order.

(2) Each petition, answer or replication shall be under oath or affirmation.

(3) Answers must be filed and served within 15 days after service of the petition.

(4) Rules and replications must be filed within 15 days after service of the last of the answers.

(5) Replications must be confined to a reply to new matters stated in the answers.

(6) The facts averred by either party, and not denied in the answer or replication of the other, shall be taken as true in all subsequent proceedings in the cause, without the necessity for proof, unless amended under this chapter.

(7) Any fact necessarily found by the court in finally determining a rule shall also be taken as true in all subsequent proceedings in the cause, without the necessity for proof, unless either party, by

writing filed and served at least 10 days prior to the time fixed for trial, requires that it be submitted to the jury.

§ 2541. Service of notice.

Unless otherwise provided under this chapter, each notice, petition or rule shall be served in one of the following methods:

(1) Upon counsel for the parties interested or upon the parties themselves in the manner bills in equity are served.

(2) Upon the owner by leaving a copy with the party in possession of the real estate.

(3) In a manner as the court shall direct.

§ 2542. Security.

If security is required to be given under this chapter, the following shall apply:

(1) The security may be approved by the prothonotary, subject to an appeal to the court.

(2) If the security is found to be insufficient, the following shall apply:

(i) New security may be required within a given time. If the security is not provided, the cause may proceed with the same effect as if no security had been given and the sureties shall remain liable.

(ii) By agreement of the parties, or upon approval by the court after notice, new security may be entered in lieu of that originally taken and an exonerator entered on the first bond.

(iii) The security given may be limited to a particular property if clear of incumbrances, and the security be entered as a lien upon the property.

§ 2543. Use-plaintiffs.

(a) Satisfaction.--In cases where there is a use-plaintiff, if the claim is paid or otherwise satisfied or discharged before or after filing, the use-plaintiff, or the use-plaintiff's legal representatives, shall enter satisfaction if the owner or any other interested individual requests satisfaction. The request shall be in accordance with the following:

(1) The owner or any other individual interested shall make the request.

(2) The request shall be made by a written statement showing how the claim was paid, satisfied or discharged, and on the payment of costs, if any are due, to enter satisfaction on the record of the claim.

(b) Refusal.--Refusal to satisfy the claim for a period of 60 days after notice served upon the use-plaintiff or the use-plaintiff's agent or attorney shall subject the use-plaintiff to a suit for penalty at the hands of the party aggrieved. A jury shall determine a just sum not to exceed the amount of the claim.

§ 2544. Notice of interest, registration and service.

(a) Notice of interest.--The following shall apply:

(1) An owner of real property located within a city of the first class, a mortgagee of the property or an individual having a lien or claim on or interest in the property shall register a notice of interest with the department of the city of the first class responsible for collection of tax and municipal claims stating:

(i) the individual's name, residence and mailing address;

and

(ii) a description of the real property in which the individual has an interest.

(2) A notice of interest shall not be required for a mortgage or interest otherwise properly recorded in the Office of the Recorder of Deeds, provided the document contains a current address sufficient to satisfy the notice requirements of this section. The interested party shall file an amended registration as needed.

(b) Service.--After the completion and filing of a notice of interest, a city of the first class shall serve all petitions, rules and other notices required by this chapter on the interested parties at the registered address.

(c) Regulations.--A city of the first class may promulgate regulations for the bulk registration of notices of interest.

§ 2545. Rule to show cause, decree, service and notice.

(a) General Rule.--The following shall apply:

(1) In cities of the first or second class and counties of the second class and municipalities located within counties of the second class, notice of a rule to show cause why a property should not be sold free and clear of all encumbrances issued by a court under a petition filed by a claimant under section 2535 (relating to cities of the first class, recovery of judgment and sale free from claims) shall

be served by the claimant upon owners, mortgagees, holders of ground rents, liens and charges or estates of any kind as follows:

(i) By posting a true and correct copy of the petition and rule on the most public part of the property.

(ii) By mailing by first class mail, to the address registered by an interested party under section 2544 (relating to notice of interest, registration and service), a true and correct copy of the petition and rule.

(iii) By reviewing a title search, title insurance policy or tax information certificate that identifies interested parties of record who have not registered their addresses under section 2544, the claimant shall mail by first class mail and either by certified mail, return receipt requested, or by registered mail to the addresses that appear on the respective records relating to the premises a true and correct copy of the petition and rule.

(2) Service of notice under this section shall be deemed accomplished on the date of mailing. The claimant shall file an affidavit of service with the court prior to seeking a decree ordering the sale of the premises.

(a.1) Counties of the second class.--In counties of the second class and municipalities within the county of the second class, notice of a rule to show cause why a property should not be sold free and clear of all liens and encumbrances issued by a court under a petition filed by a claimant under sections 2533 (relating to sale of property subject to lien of tax or municipal claims) and 2534 (relating to counties of the first class, recovery of judgment and sale free from claims) shall be served by the claimant upon owners, mortgagees, holders of ground rents, liens and charges or estates of any kind as follows:

(1) By posting a true and correct copy of the petition and rule on the most public part of the property.

(2) By reviewing a title search, title insurance policy or tax information certificate that identifies interested parties of record, the county or municipality shall mail by first class mail and either by certified mail, return receipt requested, or by certificate of mailing to the addresses that appear on the respective records relating to the premises a true and correct copy of the petition and rule. Notice under this section shall be deemed accomplished on the date of mailing. The claimant shall file an affidavit of service with the court prior to seeking a decree ordering the sale of the premises.

(b) Notice.--The following shall apply:

(1) A party whose interest did not appear on a title search, title insurance policy or tax information certificate or who failed to accurately register the party's interest and address under section 2544 shall not have standing to complain of improper notice if the claimant complied with subsection (a). This provision shall not apply if the mortgage or interest was otherwise properly recorded in the Office of the Recorder of Deeds or the Department of Real Estate, as applicable, and the document contains a current address sufficient to satisfy the notice requirements of this section. Notwithstanding any other requirement under this chapter or any other law to the contrary, the notice required by subsection (a) shall constitute the only notice required before a court may enter a decree ordering a tax sale.

(2) A party whose interest did not appear on a title search or title insurance policy, because of the party's failure to record or properly record its interest, shall not have standing to complain of improper notice if the county or municipality shall have complied with subsection (a.1). This provision shall not apply if the mortgage or interest was otherwise properly recorded in the Office of the Recorder of Deeds or the Department of Real Estate, as applicable, and the document contains a current address sufficient to satisfy the notice requirements of this section. Notwithstanding any other requirement under subsection (a.1), notice under this section shall constitute the only notice required before a court may enter a decree ordering a tax sale free and clear of liens.

(c) Service.--The following shall apply:

(1) Notice of the court's decree ordering a tax sale, together with the time, place and date of the sale, shall be served by first class mail on all parties served with the petition and rule, on any parties whose interest appeared of record after the filing of the petition but before the court's decree and on any creditor who has obtained judgment against the owner of the premises prior to the date of the decree. The claimant shall file an affidavit of service of these notices prior to the date of the sale.

(2) Except in cities of the first class, in sales pursuant to a petition filed by a claimant under section 2535, notice of the court's decree ordering a tax sale, together with the time, place and date of the sale, shall be served with the notice of sheriff's sale and shall be provided to all parties entitled to receive notice under Pa.R.C.P. No. 3129.1 (relating to sale of real property, notice and affidavit).

(3) Except in cities of the first class, in sales pursuant to a petition filed by a claimant under section 2530 (relating to execution of judgment), notice of the court's decree ordering a sale, together with the time, place and date of the sale, shall be served by first class mail upon all parties who receive notice under Pa.R.C.P. No. 3129.1 prior to the initial sale. Notice under this paragraph shall be provided no later than seven days prior to the continued sale.

§ 2546. Validity of sale and time for filing contest.

All parties wishing to contest the validity of a sale conducted under section 2535 (relating to cities of the first class, recovery of judgment and sale free from claims), including the sufficiency of a notice, and any party claiming to have an interest in the premises which was not discharged by the sale, must file a petition seeking to overturn the sale or to establish the interest within three months of the acknowledgment of the deed to the premises by the sheriff.

§ 2547. Cities of first class, time for proceeding on claims and preclusion of sale for undue hardship.

Cities of the first class shall proceed on tax claims after one year of delinquency, unless the owner or an interested party enters into a payment agreement suitable to the claimant. The finance director of the city may preclude the sale of a property on a case-by-case basis if the sale would create an undue hardship on the property owner or occupant.

§ 2548. Procedures available to tax claim bureaus.

The tax claim bureaus of the several counties may adopt and use the procedures in this chapter in addition to the procedures specified in the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law.

§ 2549. Disposition of property acquired by cities of the second class.

The mayor of a city of the second class may designate an agency for the acquisition, administration, maintenance and disposition of property acquired by the city of the second class at a sheriff's sale. The city of the second class or its agent may act as an agent for a taxing authority having a claim against property under this section, pursuant to a locally negotiated agreement that positively affirms the consent by each taxing authority to allow the city of a second class to act as an agent on each taxing authority's behalf. A city of the second class acting as an agent for a taxing authority under this section may take any actions necessary to protect and defend a taxing authority's rights and obligations under this chapter.

Section 7. The addition of 68 Pa.C.S. § 2537(a) introductory paragraph, (4) and (5) shall apply to a sheriff's sale conducted on or after the effective date of this section.

Section 8. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of 68 Pa.C.S. Ch. 25.

(2) The act of May 16, 1923 (P.L.207, No.153), known as the Municipal Claim and Tax Lien Law, is repealed.

Section 9. The addition of 68 Pa.C.S. Ch 25 is a continuation of the act of May 16, 1923 (P.L.207, No.153), known as the Municipal Claim and Tax Lien Law. The following shall apply:

(1) Except as otherwise provided in 68 Pa.C.S. Ch. 25, all activities initiated under the Municipal Claim and Tax Lien Law shall continue and remain in full force and effect and may be completed under 68 Pa.C.S. Ch. 25. Orders, regulations, rules and decisions which were made under the Municipal Claim and Tax Lien Law and which are in effect on the effective date of section 3 of this act shall remain in full force and effect until revoked, vacated or modified under 68 Pa.C.S. Ch. 25. Contracts, obligations and collective bargaining agreements entered into under the Municipal Claim and Tax Lien Law are not affected nor impaired by the repeal of the Municipal Claim and Tax Lien Law.

(2) Except as provided under paragraph (3), any difference in language between 68 Pa.C.S. Ch. 25 and the Municipal Claim and Tax Lien Law is intended only to conform to the style of the Pennsylvania Consolidated Statutes and is not intended to change or

affect the legislative intent, judicial construction or administration and implementation of the Municipal Claim and Tax Lien Law.

(3) Paragraph (2) does not apply to the addition of the following provisions:

(i) 68 Pa.C.S. § 2504(b).

(ii) 68 Pa.C.S. § 2535(a), (b), (c), (d), (f) and (g).

(iii) 68 Pa.C.S. § 2537(a) introductory paragraph, (4) and

(5).

(iv) 68 Pa.C.S. § 2545(a)(1) introductory paragraph and

(iii) and (2), (a.1) introductory paragraph and (2), (b) and (c)(1).

(v) 68 Pa.C.S. § 2549.

Amend Bill, page 3, line 21, by striking out "6" and inserting:

10

On the question,

Will the Senate agree to the amendment?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Fontana.

Senator FONTANA. Mr. President, I just spoke on this amendment a little bit ago. It is my Senate Bill No. 811, which, again, to be clear, it passed this Senate unanimously on June 14 and the House Committee on Urban Affairs on September 14 the same way, unanimous. I am asking that this amendment be made part of House Bill No. 2209 for the betterment of the government of Allegheny County and the city of Pittsburgh only and their residents. So, I ask for an affirmative vote.

Thank you, Mr. President.

FONTANA AMENDMENT A4833 TABLED

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, I move that the amendment be laid upon the table.

The PRESIDENT pro tempore. Senator Kim Ward moves that the amendment be laid upon the table. This motion is not debatable.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator K. WARD and were as follows, viz:

YEA-28

Argall	DiSanto	Martin	Scavello
Aument	Dush	Mastriano	Stefano
Baker	Gebhard	Mensch	Tomlinson
Bartolotta	Gordner	Phillips-Hill	Vogel
Brooks	Hutchinson	Pittman	Ward, Judy
Browne	Langerhole	Regan	Ward, Kim
Corman	Laughlin	Robinson	Yudichak

NAY-20

Boscola	Costa	Hughes	Schwank
Brewster	Dillon	Kane	Street
Cappelletti	Flynn	Kearney	Tartaglione
Collett	Fontana	Muth	Williams, Anthony H.
Comitta	Haywood	Santarsiero	Williams, Lindsey

A majority of the Senators having voted "aye," the question was determined in the affirmative.

The PRESIDENT pro tempore. Amendment A4833 will be laid on the table.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was agreed to.

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-46

Argall	Costa	Laughlin	Schwank
Aument	Dillon	Martin	Stefano
Baker	DiSanto	Mastriano	Street
Bartolotta	Flynn	Mensch	Tartaglione
Boscola	Fontana	Muth	Tomlinson
Brewster	Gebhard	Phillips-Hill	Vogel
Brooks	Gordner	Pittman	Ward, Judy
Browne	Haywood	Regan	Ward, Kim
Cappelletti	Hughes	Robinson	Williams, Anthony H.
Collett	Kane	Santarsiero	Williams, Lindsey
Comitta	Kearney	Scavello	Yudichak
Corman	Langerholc		

NAY-2

Dush Hutchinson

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2210 (Pr. No. 2575) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 26, 2008 (P.L.1672, No.135), known as the Abandoned and Blighted Property Conservatorship Act, further providing for definitions.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-42

Argall	Costa	Laughlin	Stefano
Aument	Dillon	Mensch	Street
Baker	Flynn	Muth	Tartaglione
Bartolotta	Fontana	Phillips-Hill	Tomlinson
Boscola	Gebhard	Pittman	Vogel
Brewster	Gordner	Regan	Ward, Judy
Browne	Haywood	Robinson	Ward, Kim
Cappelletti	Hughes	Santarsiero	Williams, Anthony H.
Collett	Kane	Scavello	Williams, Lindsey
Comitta	Kearney	Schwank	Yudichak
Corman	Langerholc		

NAY-6

Brooks Dush Martin Mastriano
DiSanto Hutchinson

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL REREFERRED

HB 2398 (Pr. No. 3563) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in certificate of title and security interests, further providing for content and effect of certificate of title; in rules of the road in general, repealing provisions relating to platooning; in miscellaneous provisions, providing for theft of catalytic converter; in miscellaneous provisions relating to accidents and accident reports, further providing for accidents involving death or personal injury, for accidents involving damage to attended vehicle or property, for duty to give information and render aid, for accidents involving damage to unattended vehicle or property and for immediate notice of accident to police department; in equipment standards, further providing for promulgation of vehicle equipment standards; in inspection of vehicles, further providing for requirement for periodic inspection of vehicles; in size, weight and load, further providing for width of vehicles; in powers of department and local authorities, further providing for specific powers of department and local authorities; and, in highly automated vehicles, further providing for definitions, for highly automated vehicles and for Highly Automated Vehicle Advisory Committee, providing for certificate of compliance required, for powers of department, for self-certification application, for self-certification review, for operation requirements, for commercial operation, for preemption, for enforcement and penalties, for regulations and guidelines, for confidential records, for appeals and for interstate agreements; and adding provisions relating to other automated vehicles.

Upon motion of Senator K. WARD, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

BILL RECOMMITTED

HB 2528 (Pr. No. 3254) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, providing for well plugging contracts.

Upon motion of Senator K. WARD, and agreed to by voice vote, the bill was recommitted to the Committee on Environmental Resources and Energy.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2538 (Pr. No. 3021) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in State lottery, further providing for powers and duties of secretary.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-48

Argall	Costa	Kearney	Scavello
Aument	Dillon	Langerholc	Schwank
Baker	DiSanto	Laughlin	Stefano
Bartolotta	Dush	Martin	Street
Boscola	Flynn	Mastriano	Tartaglione
Brewster	Fontana	Mensch	Tomlinson
Brooks	Gebhard	Muth	Vogel
Browne	Gordner	Phillips-Hill	Ward, Judy
Cappelletti	Haywood	Pittman	Ward, Kim
Collett	Hughes	Regan	Williams, Anthony H.
Comitta	Hutchinson	Robinson	Williams, Lindsey
Corman	Kane	Santarsiero	Yudichak

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2637 (Pr. No. 3564) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge, identified as Bridge Key 41606, carrying State Route 3011, also known as Branch Road, over Spring Creek in College Township, Centre County, as the Private John W. Coble Memorial Bridge; designating a bridge, identified as Bridge Key 8536, carrying Pennsylvania Route 869, also known as Locust Street, over Topper Run, located in Adams Township, Cambria County, as the Corporal William T. Costlow, Sr., Memorial Bridge; designating a bridge, identified as Bridge Key 11656, carrying State Route 1009, also known as Powell Street, over Emigh Run in Morris Township, Clearfield County, as the PFC Robert Lee Quick Memorial Bridge; designating a bridge, identified as Bridge Key 68567, on that portion of Pennsylvania Route 772 over Donegal Creek, East Donegal Township, Lancaster County, as the Kenneth C. Depoe, DFCA, Bridge; designating a bridge, identified as Bridge Key 46002, on U.S. Route 119 in Punxsutawney Borough, Jefferson County, over the Mahoning Creek as the A1C Robert P. Pape Memorial Bridge; designating a bridge, identified as Bridge Key 36017, on that portion of Pennsylvania Route 56 over the Kiskiminetas River, Vandergrift Borough, Westmoreland County, and Parks Township, Armstrong County, as the Rudy Minarcin Memorial Bridge; designating a bridge, identified as Bridge Key 8463, carrying U.S. Route 219 over State Route 3043, also known as Jackson Street, in Summerhill Borough, Cambria County, as the Staff Sergeant Paul Regis Wilburn Memorial Bridge; designating a bridge, identified as Bridge Key 12099, carrying Pennsylvania Route 120, also known as Renovo Road, over Young Women's Creek in Chapman Township, Clinton County, as the John F. Curcio Memorial Bridge; designating a bridge, identified as Bridge Key 11447, carrying Pennsylvania Route 255 over Narrows Creek in Sandy Township, Clearfield County, as the Sgt. Dennis Michael Resinger Memorial Bridge; designating a bridge, identified as Bridge Key 47626, carrying Pennsylvania Route 255 over Sandy Lick Creek, Sandy Township, Clearfield County, as the Sergeant Norman Lee Tinker Memorial Bridge; designating a portion of Pennsylvania Route 255 near the western intersection of Hemlock Avenue, Segment 0030/Offset 1077, to near the intersection of Gardner Hill Road, Segment 0040/Offset 2935, in Jay Township, Elk County, as the Dr. Betty Hayes Memorial Highway; designating a bridge, identified

as Bridge Key 54168, carrying U.S. Route 30 over Little Conewago Creek, between N. Grant Road and Stone Lane in Thomasville, Jackson Township, York County, as the Second Lieutenant John H. Sterner Memorial Bridge; designating a bridge, identified as Bridge Key 15552, on that portion of U.S. Route 219 over Elk Creek, Ridgway Borough, Elk County, as the Elk County Vietnam Veterans Memorial Bridge; designating a portion of Pennsylvania Route 611 from the intersection of Upper Barnes Road and K Street (Segment 0040/Offset 2133) to the intersection of Oakfield Road (Segment 0030/Offset 1879) in Warrington Township, Bucks County, as the Officer Stephen C. Plum, Jr., Memorial Highway; designating a portion of Pennsylvania Route 611 from the intersection of Upper Barnes Road and K Street (Segment 0040/Offset 2133) to the intersection of Park Road (Segment 0050/Offset 908) in Warrington Township, Bucks County, as the William Bell, Sr., Memorial Highway; designating the interchange of U.S. Route 322 with State Route 2005 on the border of Hummelstown Borough and Derry Township, Dauphin County, as the Officer Michael L. Henry, Jr., Memorial Interchange; designating a bridge, identified as Bridge Key 37108, carrying Pennsylvania Route 29 over the Susquehanna River in Tunkhannock Borough and Eaton Township, Wyoming County, as the Wyoming County Veteran and First Responder Bridge of Valor; designating the portion of State Route 4031, also known as Main Street, between Fifth Avenue and State Route 4048, also known as Seventh Avenue, in Trappe Borough, Montgomery County, as the Trooper Branden T. Sisca Memorial Highway; designating a portion of State Route 2025, also known as Morton Avenue, between Pennsylvania Route 420, also known as Woodland Avenue, in Morton Borough and Linden Avenue in Rutledge Borough, Delaware County, as the Captain Daniel Clement Memorial Highway; designating a bridge, identified as Bridge Key 27664, on that portion of State Route 2040 over the Pennypack Creek, Hatboro Borough, Montgomery County, as the SPC John Kulick Memorial Bridge; designating a bridge, identified as Bridge Key 8344, carrying U.S. Route 22 over Pennsylvania Route 160, also known as New Germany Road, in Cambria Township, Cambria County, as the Charles J. Vizzini Memorial Bridge; designating the portion of State Route 1009, also known as Bridge Street, between State Route 1007, also known as Tacony Street, and State Route 2001, also known as Richmond Street, in the City of Philadelphia as the Joseph A. Ferko Memorial Boulevard; designating a bridge, identified as Bridge Key 8619, carrying State Route 3006 over Stonycreek River on the border of Stonycreek Township and Upper Yoder Township, Cambria County, as the Sgt. John T. Boxler Memorial Bridge; designating a portion of State Route 3001 from the intersection with State Route 3012, also known as Walton Road, on the border of Whitpain Township and Plymouth Township, to the intersection with Pennsylvania Route 363, in Worcester Township, Montgomery County, as the Dr. Jean Griswold Memorial Highway; designating a bridge, identified as Bridge Key 19129, carrying Pennsylvania Route 403 over Yellow Creek in Pine Township, Indiana County, as the PVT George Holuta Memorial Bridge; designating a bridge, identified as Bridge Key 44052, carrying State Route 3035 over Yellow Creek in Homer City Borough, Indiana County, as the Sgt. Walter F. Novak Memorial Bridge; designating a bridge, identified as Bridge Key 8706, on that portion of State Route 4021 over a tributary of the West Branch of the Susquehanna River, Susquehanna Township, Cambria County, as the Petty Officer Iral William Stoltz Memorial Bridge; designating a bridge, identified as Bridge Key 11523, on that portion of Pennsylvania Route 729 over Muddy Run, on the border of Beccaria Township and Gulich Township, Clearfield County, as the Technical Sergeant Arthur K. Stiles Memorial Bridge; designating a bridge, identified as Bridge Key 41697, on that portion of State Route 3019 over Clearfield Creek, on the border of Coalport Borough and Beccaria Township, Clearfield County, as the Technical Sergeant Richard L. Beers Memorial Bridge; designating a bridge, identified as Bridge Key 67464, carrying State Route 4019 over the Norfolk Southern Railway in North Huntingdon Township, Westmoreland County, as the WWII Veteran Warren "Bizz" Watson Memorial Bridge; designating a bridge, identified as Bridge Key 41673, carrying State Route 3102, also known as Oakridge Drive, over U.S. 219 in Richland Township, Cambria County, as the Cambria County Vietnam Veterans Memorial Bridge; and making a related repeal.

On the question,
Will the Senate agree to the bill on third consideration?

POINT OF ORDER

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, I rise to request a ruling pursuant to Senate Rule 20 on House Bill No. 2637. This bill designates multiple bridges throughout this Commonwealth, including one designation that previously passed the Senate as Senate Bill No. 1299, of which it would honor the grandfather of my wife who was a prisoner of war in the Korean War. On July 7 of this year, I asked for a similar ruling on the same issue in which you stated that I had no pecuniary benefit and was able to vote. Am I my permitted to vote?

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair thanks the gentleman for his inquiry about the conflict of interest to the factual situations just given. The Chair would rule that there is no conflict of interest, and that in accordance with Senate Rule 20(c), you must vote on House Bill No. 2637. Senate precedent fully supports that a Member does not have a conflict of interest voting on a bill where there is no direct benefit to a Member, which is precisely the case here. You have no pecuniary interest in the bridge designation. As a result, there is no direct benefit to you and thus no conflict to bar you from voting. Further, Senate precedent allows support that the Senator has no conflict when a family member could be impacted by the vote. Here, your deceased grandfather-in-law is being honored for his military service to our country through this bridge designation legislation. There is no direct pecuniary benefit to you or anyone else from you voting on this bill. The Chair thanks the gentleman.

And the question recurring,

Will the Senate agree to the bill on third consideration?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-48

Argall	Costa	Kearney	Scavello
Aument	Dillon	Langerholc	Schwank
Baker	DiSanto	Laughlin	Stefano
Bartolotta	Dush	Martin	Street
Boscola	Flynn	Mastriano	Tartaglione
Brewster	Fontana	Mensch	Tomlinson
Brooks	Gebhard	Muth	Vogel
Browne	Gordner	Phillips-Hill	Ward, Judy
Cappelletti	Haywood	Pittman	Ward, Kim
Collett	Hughes	Regan	Williams, Anthony H.
Comitta	Hutchinson	Robinson	Williams, Lindsey
Corman	Kane	Santarsiero	Yudichak

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION
AND REREFERRED

HB 34 (Pr. No. 3559) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preparation for and conduct of primaries and elections, providing for ballot securement.

Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

Upon motion of Senator K. WARD, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

HB 69 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 167 (Pr. No. 1830) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, further providing for driving under influence of alcohol or controlled substance and for authorized use not a defense.

Without objection, the bill was passed over in its order at the request of Senator K. WARD.

Pursuant to Senate Rule 9, the bill was laid on the table.

BILLS OVER IN ORDER

HB 185, SB 244, HB 293, SB 359, HB 521, HB 722, SB 749, SB 917, SB 1136, HB 1155, HB 1178 and SB 1195 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 1249 (Pr. No. 1831) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for pollinator conservation registration plate; and, in fees, further providing for payments to special funds and establishing the Pollinator Habitat Program Fund.

Without objection, the bill was passed over in its order at the request of Senator K. WARD.

Pursuant to Senate Rule 9, the bill was laid on the table.

BILLS OVER IN ORDER

SB 1331, SB 1333, SB 1358 and HB 1377 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION
AND REREFERRED

HB 1443 (Pr. No. 1900) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 26, 1951 (P.L.1539, No.389), known as The Clinical Laboratory Act, providing for advertisements for laboratory tests.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.
Upon motion of Senator K. WARD, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

HB 1500 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION

HB 1546 (Pr. No. 3569) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of endangerment of public safety official.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

BILL OVER IN ORDER

HB 1738 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON SECOND CONSIDERATION
AND REREFERRED

HB 1813 (Pr. No. 3321) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for military child advance enrollment.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.
Upon motion of Senator K. WARD, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

BILL ON SECOND CONSIDERATION,
AMENDED AND REREFERRED

HB 1988 (Pr. No. 3570) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in recordings by law enforcement officers, further providing for definitions; in employees, further providing for definitions; and providing for automatic certification by the Municipal Police Officers' Education and Training Commission.

On the question,
Will the Senate agree to the bill on second consideration?

REGAN AMENDMENT A5785 AGREED TO

Senator REGAN offered the following amendment No. A5785:

Amend Bill, page 5, line 12, by striking out "SCHOOL"

On the question,
Will the Senate agree to the amendment?
It was agreed to.

On the question,
Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.
Ordered, To be printed on the Calendar for third consideration.
Upon motion of Senator K. WARD, and agreed to by voice vote, the bill, as amended, was rereferred to the Committee on Appropriations.

BILL ON SECOND CONSIDERATION
AND REREFERRED

HB 2293 (Pr. No. 3344) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for temporary health care services agencies.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.
Upon motion of Senator K. WARD, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

HB 2367, HB 2372, HB 2406, HB 2407 and HB 2425 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILL OVER IN ORDER AND LAID ON THE TABLE

HB 2485 (Pr. No. 3163) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in State contract information, further providing for submission and retention of contracts.

Without objection, the bill was passed over in its order at the request of Senator K. WARD.

Pursuant to Senate Rule 9, the bill was laid on the table.

BILLS OVER IN ORDER

HB 2524 and HB 2632 -- Without objection, the bills were passed over in their order at the request of Senator K. WARD.

BILLS REPORTED FROM COMMITTEE

Senator BROWNE, from the Committee on Appropriations, reported the following bills:

HB 140 (Pr. No. 3333) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for additional parking regulations.

HB 2373 (Pr. No. 2895) (Rereported)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, further providing for transfer authority over Lieutenant Governor's Mansion.

HB 2525 (Pr. No. 3586) (Amended) (Rereported)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in criminal history record information, providing for crime victim right of access.

HB 2527 (Pr. No. 3150) (Rereported)

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for drug overdose medication.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

MOTION NOTWITHSTANDING SENATE RULE 12

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Westmoreland, Senator Kim Ward.

Senator K. WARD. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 1 and move that the Senate proceed to consider House Bill No. 1795, notwithstanding the provisions of Senate Rule 12(p)(2)(ii).

On the question,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1795 (Pr. No. 3585) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in general provisions relating to condominiums, further providing for definitions; in management of the condominium, further providing for executive board members and officers, for bylaws, for meetings, for quorums and for voting and proxies; in general provisions relating to cooperatives, further providing for definitions; in creation, alteration and termination of cooperatives, further providing for master associations; in management of cooperatives, further providing for bylaws, for meetings, for quorums and for voting and proxies; in general provisions relating to planned communities, further providing for definitions; in creation, alteration and termination of planned communities, further providing for master associations; and, in management of planned community, further providing for bylaws, for meetings, for quorums and for voting and proxies.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-40

Argall	Costa	Langerholc	Stefano
Baker	Dillon	Laughlin	Street
Bartolotta	DiSanto	Mensch	Tartaglione
Boscola	Flynn	Muth	Tomlinson
Brewster	Fontana	Phillips-Hill	Vogel
Browne	Gordner	Pittman	Ward, Judy
Cappelletti	Haywood	Robinson	Ward, Kim
Collett	Hughes	Santarsiero	Williams, Anthony H.
Comitta	Kane	Scavello	Williams, Lindsey
Corman	Kearney	Schwank	Yudichak

NAY-8

Aument	Dush	Hutchinson	Mastriano
Brooks	Gebhard	Martin	Regan

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 2

BILL OVER IN ORDER

HB 2525 -- Without objection, the bill was passed over in its order at the request of Senator K. WARD.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2527 (Pr. No. 3150) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for drug overdose medication.

On the question,
Will the Senate agree to the bill on third consideration?

CAPPELLETTI AMENDMENT A4917 OFFERED

Senator CAPPELLETTI offered the following amendment No. A4917:

Amend Bill, page 1, line 10, by inserting after "for":
definitions and for

Amend Bill, page 1, lines 14 through 16, by striking out all of said lines and inserting:

Section 1. Section 2 of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, is amended by adding definitions to read:

Section 2. Definitions.--(a) The definitions contained and used in the "Pennsylvania Drug and Alcohol Abuse Control Act" shall also apply for purposes of this act.

(b) As used in this act:

"Community college" means an institution now or hereafter created under Article XIX-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, or the act of August 24, 1963 (P.L.1132, No.484), known as the Community College Act of 1963.

"Coprescribe" means the practice of prescribing or dispensing an emergency opioid antagonist in conjunction with an opioid prescription.

"Correctional institution" means a correctional institution as defined in 61 Pa.C.S. § 102 (relating to definitions) or a facility that confines a juvenile under 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

"Emergency opioid antagonist" means a drug, including, but not limited to, naloxone, approved by the United States Food and Drug Administration for the complete or partial reversal of an opioid-related overdose.

"Independent institution of higher education" means an institution of higher education operated not for profit, located in and incorporated or chartered by the Commonwealth, entitled to confer degrees as provided in 24 Pa.C.S. § 6505 (relating to power to confer degrees) and entitled to apply to itself the designation "college" or "university" as provided for by standards and qualifications prescribed by the State Board of Education under 24 Pa.C.S. Ch. 65 (relating to private colleges, universities and seminaries).

"Institution of higher education" means an independent institution of higher education approved by the Department of Education.

"Nonpublic school" means a nonprofit school, other than a public school in this Commonwealth, at which a resident of this Commonwealth may legally fulfill the compulsory school attendance requirements of Article XIII and that meets the requirements of Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241).

"Opioid" means any of the following:

(1) A preparation or derivative of opium.

(2) A synthetic narcotic that has opiate-like effects but is not derived from opium.

(3) A group of naturally occurring peptides that bind at or otherwise influence opiate receptors, including an opioid agonist.

"Public institution of higher education" means a community college, State-owned institution or State-related institution approved by the Department of Education.

"Public school" means a public school as defined in section 1101-B of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

"State-owned institution" means an institution which is part of the State System of Higher Education pursuant to Article XX-A of the Public School Code of 1949.

"State-related institution" means The Pennsylvania State University, the University of Pittsburgh, Temple University and Lincoln University and their branch campuses.

Section 2. Section 13.8 of the act is amended to read:

Amend Bill, page 1, line 20, by striking out "[By December 31, 2014, amend] AMEND" and inserting:

By December 31, [2014, amend] 2022, amend

Amend Bill, page 2, line 8, by inserting a bracket before "about"

Amend Bill, page 2, line 9, by striking out the bracket before "naloxone"

Amend Bill, page 2, line 9, by striking out "]" an opioid antagonist"

Amend Bill, page 2, line 11, by inserting after "Internet.":

I that comply with the following:

(i) The training programs and training and instructional materials shall cover the following items:

(A) The importance of emergency opioid antagonists in preventing deaths from opioid-related overdoses.

(B) How to recognize the signs and symptoms of opioid-related overdoses.

(C) The essential steps in responding to an opioid-related overdose, including administering emergency opioid antagonists and promptly seeking medical attention.

(D) Where and how to obtain emergency opioid antagonists in this Commonwealth.

(E) How to destigmatize the possession of an emergency opioid antagonist.

(F) State laws, including, but not limited to, this section, limiting civil and criminal liability for prescribing, dispensing, distributing or administering emergency opioid antagonists or for contacting law enforcement for individuals believed to be experiencing an opioid-related overdose.

(ii) The department and the Department of Drug and Alcohol Programs shall publish the training and instruction materials free of charge on the departments' publicly accessible Internet websites.

(iii) Training programs and training and instructional materials prepared for public schools, nonpublic schools and institutions of higher education under this paragraph shall comply with all of the following:

(A) Be age appropriate.

(B) Be developed in consultation with the Department of Education.

(C) Include guidelines for the trainings described under subsections (h) and (i).

(iv) Training programs and training and instructional materials prepared for correctional institutions under this paragraph shall include guidelines for the trainings described under subsection (c.2) and shall be developed in consultation with the Department of Corrections.

(v) The department shall tailor the training programs to the unique needs of each of the following groups:

(A) Individuals who may potentially administer an emergency opioid antagonist to individuals exhibiting the signs of an opioid-related overdose.

(B) Prescribers and dispensers.

(C) Law enforcement officers and firefighters.

(D) Emergency medical services providers.

(E) Laypeople and bystanders.

(F) Public schools, nonpublic schools and public institutions of higher education.

(G) Correctional institution staff.

(H) Community-based organizations.

(4) In consultation with the Department of Drug and Alcohol Programs and community-based organizations, establish a Statewide educational initiative to promote the items listed under paragraph (3)(i) and

any additional measures that promote safe distribution, use and administration of emergency opioid antagonists in this Commonwealth.

Amend Bill, page 2, line 16, by inserting after "an":

emergency

Amend Bill, page 2, line 20, by inserting after "an":

emergency

Amend Bill, page 2, line 25, by inserting after "an":

emergency

Amend Bill, page 2, line 26, by inserting after "the":

emergency

Amend Bill, page 3, by inserting between lines 1 and 2:

(c.1) Notwithstanding any other law to the contrary, a health care professional issuing an initial or renewal prescription for an opioid in this Commonwealth shall coprescribe an emergency opioid antagonist.

(c.2) (1) A correctional institution shall provide training and instructional materials developed and implemented by the department under subsection (a)(3) to employees of the correctional institution and incarcerated individuals. Employees and volunteers of a correctional institution may take part in a training program offered through the department under subsection (a)(3).

(2) Notwithstanding any other provision of this act to the contrary, a health care professional authorized to issue prescriptions for opioids in this Commonwealth may prescribe emergency opioid antagonists in the name of a correctional institution to be maintained for use under paragraph (5).

(3) A correctional institution shall maintain at the correctional institution in a safe, secure location a supply of emergency opioid antagonists.

(4) Individuals who are responsible for the storage and use of emergency opioid antagonists under this subsection must successfully complete a training program developed and implemented by the department under subsection (a)(3).

(5) A correctional institution shall establish a prisoner release program to do all of the following on the day of an individual's release from incarceration:

(i) Offer the individual an emergency opioid antagonist.

(ii) Provide the individual with instructions on the use of emergency opioid antagonists in the form of a written pamphlet or other accessible instructional materials for an individual with a disability.

(iii) Require the individual to sign a written form indicating that the individual has been given the opportunity to receive an emergency opioid antagonist.

(iv) Provide the individual with information regarding where and how to obtain additional emergency opioid antagonist doses locally.

(6) When offering an emergency opioid antagonist under paragraph (5), the individual shall be given as much of the emergency opioid antagonist as the individual requests and is reasonably available at the correctional institution.

Amend Bill, page 3, line 5, by inserting after "an" where it occurs the first time:

emergency

Amend Bill, page 3, line 8, by inserting after "naloxone":

emergency

Amend Bill, page 3, line 10, by inserting after "an":

emergency

Amend Bill, page 3, line 14, by inserting after "an":

emergency

Amend Bill, page 3, line 19, by inserting after "the":

emergency

Amend Bill, page 3, line 24, by inserting a bracket before "or" where it occurs the second time

Amend Bill, page 3, line 24, by inserting after "(c)":

, (c) or (c.2)

Amend Bill, page 3, line 25, by inserting after "an":

emergency

Amend Bill, page 4, line 9, by inserting after "an":

emergency

Amend Bill, page 4, lines 15 through 21, by striking out all of said lines and inserting:

(h) (1) Each public school and public institution of higher education shall authorize at least one school employee trained under paragraph (5) to:

(i) Provide an emergency opioid antagonist that meets the prescription on file for the school or institution to a student or employee.

(ii) Administer to a student or employee an emergency opioid antagonist that meets the prescription on file for the school or institution.

(iii) Administer an emergency opioid antagonist that meets the prescription on file for the school or institution to a student or employee that the administering employee in good faith believes to be having an opioid-related overdose.

(2) Notwithstanding any other provision of this act to the contrary, a health care professional authorized to issue prescriptions for opioids in this Commonwealth may prescribe emergency opioid antagonists in the name of the school or institution to be maintained for use under paragraph (1).

(3) A school and institution shall maintain at the school or institution in a safe, secure location a supply of emergency opioid antagonists.

(4) A school and institution shall designate one or more employees at the school or institution who shall be responsible for the storage and use of the opioid emergency antagonists.

(5) Employees who are responsible for the storage and use of emergency opioid antagonists under paragraph (4) must successfully complete a training program developed and implemented by the department under subsection (a)(3).

(6) Employees may utilize an emergency opioid antagonist from the school's or institution's supply to administer an emergency opioid antagonist to a student or employee in response to an opioid-related overdose under paragraph (1).

(7) In the event a student or employee is believed to be having an opioid-related overdose, the school's or institution's nurse or an employee in the school or institution who is responsible for the storage and use of emergency opioid antagonists shall contact 911 as soon as possible.

(8) At the request of a parent or legal guardian of a public school student or student at a public institution of higher education who is a minor, the student shall be exempt from paragraphs (1), (6) and (9). The principal of the school in which the student is enrolled shall notify all parents or legal guardians of the ability to exempt their children from paragraphs (1), (6) and (9) by returning a signed opt-out form.

(9) The provisions of 42 Pa.C.S. §§ 8332 (relating to emergency response provider and bystander good Samaritan civil immunity) and 8337.1 (relating to civil immunity of school officers or employees relating to emergency care, first aid and rescue) shall apply to an individual who administers an emergency opioid antagonist under this subsection.

(10) Administration of an emergency opioid antagonist under this subsection shall comply with section 504 of the Rehabilitation Act of 1973 (Public Law 93-112, 29 U.S.C. § 794) and 22 Pa. Code Ch. 15 (relating to protected handicapped students).

(11) A school and institution shall provide training programs and training and instructional materials developed and implemented by the department under subsection (a)(3) to employees and students. All employees of public schools and public institutions of higher education may take part in a training program offered through the department under subsection (a)(3).

(i) (1) A nonpublic school and independent institution of higher education may authorize at least one employee trained under paragraph (5) to:

(i) Provide an emergency opioid antagonist that meets the prescription on file for the school or institution to a student or employee.

(ii) Administer to a student or employee an emergency opioid antagonist that meets the prescription on file for the school or institution.

(iii) Administer an emergency opioid antagonist that meets the prescription on file for the school or institution to a student or employee that the administering employee in good faith believes to be having an opioid-related overdose.

(2) Notwithstanding any other provision of this act to the contrary, a health care professional authorized to issue prescriptions for opioids in this Commonwealth may prescribe emergency opioid antagonists in the name of the school or institution to be maintained for use under paragraph (1).

(3) A school and institution may maintain at the school or institution in a safe, secure location a supply of emergency opioid antagonists.

(4) A school and institution that authorizes the provision of emergency opioid antagonists under this subsection shall designate one or more employees at each school and institution who shall be responsible for the storage and use of the opioid emergency antagonists.

(5) Employees who are responsible for the storage and use of emergency opioid antagonists must successfully complete a training program developed and implemented by the department under subsection (a)(3).

(6) An employee trained under paragraph (5) may utilize an emergency opioid antagonist from the school's or institution's supply to administer emergency opioid antagonists to a student or employee in response to an opioid-related overdose under paragraph (1).

(7) In the event a student or employee is believed to be having an opioid-related overdose, the school's or institution's nurse or an employee in the school or institution who is responsible for the storage and use of emergency opioid antagonists shall contact 911 as soon as possible.

(8) At the request of a parent or legal guardian of a nonpublic school student or student at an independent institution of higher education who is a minor, a student shall be exempt from paragraphs (1), (6) and (9). The principal of the school or institution in which the student is enrolled shall notify all parents and legal guardians of the ability to exempt their children from paragraphs (1), (6) and (9) by returning a signed opt-out form.

(9) The provisions of 42 Pa.C.S. §§ 8332 and 8337.1 shall apply to an individual who administers an emergency opioid antagonist under this subsection.

(10) Administration of an emergency opioid antagonist under this subsection shall comply with section 504 of the Rehabilitation Act of 1973 and 22 Pa. Code Ch. 15.

(11) A school and institution may provide training programs and training and instructional materials developed and implemented by the department under subsection (a)(3) to employees and students. All employees of nonpublic schools and independent institutions of higher education may take part in a training program offered through the department under subsection (a)(3).

On the question,

Will the Senate agree to the amendment?

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Montgomery, Senator Cappelletti.

Senator CAPPELLETTI. Mr. President, today I rise to offer this amendment to House Bill No. 2527. When House Bill No. 2527 was referred to the Committee on Judiciary, I was more than happy to be a "yes" vote, and to be honest, I am still happy to support it here on the Senate floor. In fact, I have been working on legislation that was extremely similar. As the opioid epidemic remains Pennsylvania's top public health and safety crisis, we should always be looking for policy solutions that can improve already good legislation, like this bill. Despite the Department of Health reporting more than 67,000 doses of naloxone being administered by EMS, overdose deaths remain frighteningly high, with 5,089 and 4,317 deaths in 2020 and 2021, respectively. And with the U.S. Food and Drug Administration approving new opioid reversible medications, we must also approve and expand our Commonwealth's education and accessibility on these life-saving medications as well. My amendment takes a few of the things from my bill and adds them to House Bill No. 2527, including requiring that DDAP publish information for free, including how to recognize and respond to opioid overdoses, the importance of opioid reversal drugs, where and how to access opioid reversal drugs, and how to administer them. Providing free online training videos for the public, including schools, universities, and correctional institutions. Requiring healthcare professionals to prescribe an opioid reversal medication if they are also prescribing an opioid. Requiring training on the proper storage of opioid reversal medications for designated individuals and providing training and instructional materials from DDAP to public schools and universities for all students and staff. By educating the citizens of our Commonwealth, we can be more responsive to the

opioid addiction crisis that we face and actively combat this serious public health crisis. I urge my colleagues to be a "yes" vote for this amendment so we can reduce the stigma of addiction and improving access to opioid reversal medications.

Thank you, Mr. President.

CAPPELLETTI AMENDMENT A4917 TABLED

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I move that the amendment be laid upon the table.

The PRESIDENT pro tempore. Senator Hutchinson moves that the amendment will be laid upon the table. That motion is not debatable.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator HUTCHINSON and were as follows, viz:

YEA-28

Argall	DiSanto	Martin	Scavello
Aument	Dush	Mastriano	Stefano
Baker	Gebhard	Mensch	Tomlinson
Bartolotta	Gordner	Phillips-Hill	Vogel
Brooks	Hutchinson	Pittman	Ward, Judy
Browne	Langerholc	Regan	Ward, Kim
Corman	Laughlin	Robinson	Yudichak

NAY-20

Boscola	Costa	Hughes	Schwank
Brewster	Dillon	Kane	Street
Cappelletti	Flynn	Kearney	Tartaglione
Collett	Fontana	Muth	Williams, Anthony H.
Comitta	Haywood	Santarsiero	Williams, Lindsey

A majority of the Senators having voted "aye," the question was determined in the affirmative.

The PRESIDENT pro tempore. Amendment A4917 will be laid on the table.

And the question recurring,

Will the Senate agree to the bill on third consideration?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-48

Argall	Costa	Kearney	Scavello
Aument	Dillon	Langerholc	Schwank
Baker	DiSanto	Laughlin	Stefano
Bartolotta	Dush	Martin	Street
Boscola	Flynn	Mastriano	Tartaglione
Brewster	Fontana	Mensch	Tomlinson
Brooks	Gebhard	Muth	Vogel
Browne	Gordner	Phillips-Hill	Ward, Judy

Cappelletti	Haywood	Pittman	Ward, Kim
Collett	Hughes	Regan	Williams, Anthony H.
Comitta	Hutchinson	Robinson	Williams, Lindsey
Corman	Kane	Santarsiero	Yudichak

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDING OFFICER (Senator Elder A. Vogel, Jr.) in the Chair.

UNFINISHED BUSINESS BILL REPORTED FROM COMMITTEE

Senator BARTOLOTTA, from the Committee on Labor and Industry, reported the following bill:

HB 2648 (Pr. No. 3591) (Amended)

An Act amending the act of April 9, 1929 (P.L. 177, No. 175), known as The Administrative Code of 1929, in Office of State Inspector General, further providing for powers, purpose and duties; repealing provisions relating to coordination of Commonwealth community service programs; providing for PennSERVE and for public works employment verification; establishing the Public Works Employment Verification Account; and making a related repeal.

BILLS ON FIRST CONSIDERATION

Senator STEFANO. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.

The bills were as follows:

HB 1307, HB 1328 and HB 2648.

And said bills having been considered for the first time,

Ordered, To be printed on the Calendar for second consideration.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA COMMITTEE MEETINGS

TUESDAY, OCTOBER 25, 2022

10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider the nomination of Sarah Clark, Esq., to the Environmental Hearing Board; Senate Bills No. 1338 and 1339; House Bill No. 2528; and an informational briefing to discuss Legionnaires Disease and related legislation-Senate Bill No. 1125)	Room 8E-B East Wing (LIVE STREAMED)
10:00 A.M.	LAW AND JUSTICE (to consider the nomination of Rudolph P. Vulakovich to the Pennsylvania Liquor Control Board)	Room 8E-A East Wing

(LIVE
STREAMED)

10:30 A.M.	LABOR AND INDUSTRY (to consider the nomination of Elena Cross to the Unemployment Compensation Board of Review; and a notice of intent to review Pennsylvania Human Relations Commission Regulation #52-013 (IRRC No. 3339))	Room 8E-A East Wing (LIVE STREAMED)
11:30 A.M.	BANKING AND INSURANCE (to consider the nomination of Vincent Gastgeb to the Banking and Securities Commission)	Room 8E-A East Wing (LIVE STREAMED)
Off the Floor	APPROPRIATIONS (to consider House Bills No. 1393, 1630, 1731, 1829, 1866, 1988, 2079, 2216, 2361, 2458, 2586, 2633 and 2800)	Senate Chamber (LIVE STREAMED)
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 736 and 1123; and certain Executive Nominations)	Senate Chamber (LIVE STREAMED)

WEDNESDAY, OCTOBER 26, 2022

9:30 A.M.	GAME AND FISHERIES (public hearing on antler restrictions)	Room 8E-A East Wing (LIVE STREAMED)
10:00 A.M.	GAME AND FISHERIES (to consider House Bill No. 1108)	Room 8E-A East Wing (LIVE STREAMED)

THURSDAY, OCTOBER 27, 2022

9:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing to examine the role of LNG in strengthening American energy security on the world stage)	Steamfitters Local Union 420 14420 Townsend Philadelphia
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PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Robinson.

Senator ROBINSON. Mr. President, I stand here today to introduce a very important resolution to me, Senate Resolution No. 355, which recognizes November 10, 2022, as Marine Corps Day in Pennsylvania: the birthday of the United States Marine Corps. The roots of our nation's Marines began here in our beloved Commonwealth 247 years ago when the Second Continental Congress met in Philadelphia. There, they passed a resolution stating that two battalions of Marines be raised, establishing the Continental Marines and marking the birth date of the United States Marine Corps. And the first commandant, Captain Samuel Nicholas, recruited the first Marines at Tun Tavern on Water Street in Philadelphia. I am honored to have served among these brave men and women for 4 years--the best, most important years of my life. The Marines trained me not just to defend this country well, but to live out my life with its core values, which are honor, courage, and commitment.

Honor guides Marines to demonstrate the ultimate ethical and moral behavior. Courage is the mental, moral, and physical strength ingrained in Marines. And commitment is the spirit of determination and dedication found in the Marines. These values shape Marines to serve a life of ultimate ethical and moral

behavior and adhere to a higher standard of personal conduct. This is the kind of training very few have the privilege to receive. And as we honor those valiant 180,000 Marines on active duty and 40,000 Reservists currently serving our great nation--ready to respond on the ground, in the air, and by sea whenever they are called--we are reminded of the triumph and glory and sheer success of the United States Marine Corps. From our first battle in New Providence, Bahamas, to Tripoli and Chapultepec; the Battle of Belleau Wood in World War I; the liberation of Pacific Islands in World War II, from Guadalcanal to Guam to Iwo Jima and Okinawa; the attack at Inchon during the Korean War all the way through to the Chosin Reservoir; Da Nang, Khe Sanh, and Huế city in Vietnam; the liberation of Kuwait and the defeat of Iraqi forces in Desert Storm; and back again in Nasiriyah, Ramadi, and Fallujah in Iraq; Marjah and Sangin in Afghanistan.

I am honored and grateful for the opportunity to recognize the honor, courage, and commitment found in each Marine from 1775 to today and the countless Marines who have sacrificed and fought and bled for each other and for our country. Thank you and happy birthday. To my fellow Marines, who we know with absolute confidence, there is no better friend and no worse enemy than a United States Marine. Oorah and Semper Fi.

Thank you, Mr. President.

The PRESIDING OFFICER. Thank you, Senator Robinson, for your service and for the Marine Corps' birthday as well. Senator Robinson for another remonstrance.

Senator ROBINSON. Mr. President, I, along with Senator Corman, rise today to speak about the Senate Resolution No. 354, recognizing November 11, 2022, as Veterans Day in Pennsylvania. May we recognize the brave men and women throughout our Commonwealth who have courageously served in our Armed Forces to protect the freedoms we hold so dearly. I was proud to serve among these heroic service members during my time in the United States Marine Corps, and I am proud to honor them with Senate Resolution No. 354. Past generations of veterans have left behind a legacy that is intertwined with that of all men and women in uniform, one that is also a tribute to the valor and sacrifice of our military. As Ronald Reagan once said, "We remember those who were called upon to give all a person can give, and we remember those who were prepared to make that sacrifice if it were demanded of them in the line of duty, though it never was. Most of all, we remember the devotion and gallantry with [which] all of them ennobled their nation as they became champions of a noble cause."

Next month, on November 11, when many of us attend parades and ceremonies to honor our veterans, please remember to pause for a moment of silence at 11 a.m. Think about all the 770,800 current Pennsylvanians who have served and the countless service members in the past who have paved the way. They gave so much of themselves, who so honorably in times of war and times of peace made our Commonwealth safe, and lively, and free as it is today. Thank you to all Pennsylvania veterans. The Senate of Pennsylvania honors your service and sacrifice, and may God bless you.

Thank you, Mr. President.

The PRESIDING OFFICER. Thank you, Senator Robinson, and to all our veterans in Pennsylvania as well. We owe them a great debt of gratitude.

The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, I rise and ask my Senate colleagues to join me in supporting Senate Resolution No. 367 and recognize this month of October 2022 as National Physical Therapy Month here in Pennsylvania. Mr. President, physical therapy and therapists play a huge role in ensuring Pennsylvanians and people across the world can improve their quality of life. Techniques used by these medical health professionals can help reduce pain and discomfort and help improve range of motion, often without surgery or drugs, which is crucial. In addition to relieving present ailments such as arthritis, repetitive stress injuries, posture problems, sports injuries, or back and neck pain, physical therapists can prevent bodily injuries by providing individuals with a customized exercise plan. The National Physical Therapy Month theme this year is Choose to Move, which emphasizes physical therapists' unique value as movement experts and the benefits of regular physical therapy. Mr. President, it should come as no surprise to the Members of this Chamber that I have had my fair share of experience with physical therapists over the last two decades. The passion and the drive of these incredible medical professionals have helped keep me moving while reducing my pain and discomfort. I ask that my Senate colleagues join me in recognizing the month of October 2022 as National Physical Therapy Month in Pennsylvania.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione, for a second time.

Senator TARTAGLIONE. Mr. President, I rise today because it marks 5,951 days since this Commonwealth's legislature last passed an increase in our poverty-level minimum wage. This 16 1/4 year continued failure is keeping Pennsylvania's lowest earners in poverty without an end in sight. But, Mr. President, there is an end in sight. Senate Bill No. 12, which I introduced nearly 2 years ago at the beginning of this legislative Session, is currently sitting in committee waiting for a vote. As we enter this final week of legislative activity, we are finalizing unfinished business and passing legislation important to our Commonwealth. Well, Mr. President, I cannot think of anything more important in Pennsylvania and its workers than to ensure every person here in our Commonwealth earns a living wage.

This body has no issue naming bridges, trying to make voting harder, and stripping women of their rights, but heaven forbid we pass meaningful legislation that would directly raise the wage of nearly 1 million workers and put much-needed cash flow into our neighbors who need it the most. But, without fail, we hear: there is not a need to raise the minimum wage; and: we cannot raise it, that would drive businesses out of Pennsylvania. Mr. President, every single State around us has a higher minimum wage than us: Ohio, \$9.30; West Virginia, \$8.75; Maryland, \$12.50; New Jersey, \$13. I do not know about every other Member, but I do not remember hearing about the exodus of jobs and employers fleeing from those States when they raised their minimum wage. Mr. President, as we wrap up this legislative Session, I have very low hope our Chamber will do the right thing and put Pennsylvanians on the path to \$15 an hour. But I want workers across Pennsylvania to know the fight is not over; the Pennsylvania Senate Democrats and I will be back in this Chamber advocating for workers

and fighting to ensure every worker earns a livable wage and a dignified wage.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Fayette, Senator Stefano.

Senator STEFANO. Mr. President, I rise in support of Senate Resolution No. 365, which aims to recognize the day before Thanksgiving, the Sunday after Christmas, and New Year's Day, at 6 p.m., as a time to ring bells throughout the Commonwealth for 5 minutes as a sign of thanks, praise, and unity. In 2020 and thereafter, the pandemic disrupted and tragically affected the lives of Pennsylvanians and people all over the world. During this time, people were restricted in their social contacts. This was of great consequence, especially to churches. In the Scottdale area of Westmoreland County, churches provided meals and food distribution for the needy; clothing, support groups, and donations to The Salvation Army, United Way, and other organizations. So, when the Scottdale Area Association of Churches met to see how they could meet the needs of their community members, they came up with the idea of ringing bells. Bells have carried messages for hundreds of years; they were a source of warning in times of war or disasters of other types. Bells were rung in celebration for weddings, royal crownings, and times of recognition. They also rang out in times of sorrow and tragedy for funerals and remembrance. Each year, they ring in Shanksville in remembrance of the victims of Flight 93. Bells ring out to gather people; they bring people together both physically and emotionally. At a time when we needed to be brought together, the Scottdale Area Association of Churches thought of no other better way to reach people than ringing bells. They believe this may give them hope, join people together, and bring comfort to those who do not know whom to turn to. They are beginning the third year of this tradition and reaching out to more and more communities. So again, I ask that our State proclaim the day before Thanksgiving, Sunday after Christmas, and New Year's Day, at 6 p.m., as a time to ring bells throughout this Commonwealth as a sign of thanks, praise, and unity.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Montgomery, Senator Cappelletti.

Senator CAPPELLETTI. Mr. President, today I rise to bring awareness to something that is deeply personal to me. Senate Resolution No. 370, recognizing October as Pregnancy and Infancy Loss Awareness Month here in Pennsylvania. According to the Centers for Disease Control, more than 1 million pregnancies end in a miscarriage or a stillbirth every year, and 1 in 4 women will experience a miscarriage in their lifetime. Based on these statistics, this experience is not uncommon, and you are likely to know someone who has experienced a pregnancy loss. Despite October being proclaimed Pregnancy and Infancy Loss Awareness Month first in 1988, the conversation surrounding pregnancy and infancy loss has remained in the shadows. Those who experience pregnancy or infancy loss may find it difficult to talk about and have trouble navigating their grief. At the end of the day, it is important that we provide families with the support and resources that they need to navigate their grief.

Many of us in this Chamber have the flexibility to take time away from work should we need to, but most of our constituents do not have that luxury. Because of my own experiences, I

introduced the Pennsylvania Support Through Loss Act. And through this legislation, individuals would be provided 3 days paid leave if there is a pregnancy loss. By providing 3 days paid leave, we can at least begin to give individuals and families a little time and space to mourn. And in doing so, we are valuing and supporting individuals and families in their road to parenthood. There is no linear way to mourn the loss of a pregnancy or an infant, but we can at least modernize our laws to aid those individuals and families in their grieving process. In fact, it was this time last year, shortly after my second miscarriage, that I first spoke in the recognition of Pregnancy and Infancy Loss Awareness Month, and the genuine support offered by my colleagues from both sides of the aisle meant the world to me that day.

And today it is with a significant amount of trepidation and cautious excitement that I share that I am about 20 weeks pregnant, but I would be remiss if I did not take a moment to highlight how the political climate and reproductive healthcare affects me and pregnant people all across this Commonwealth. About how hearing my colleagues and candidates espouse: no exceptions for the life of the mother. How that brings fear, and what if? I am due in March, and what if? Because of my history, I hold my breath every bathroom break, terrified this is the time there will be blood. Every ache and pain is a moment of self-doubt, followed by me telling myself this is normal gas pain, a reminder that I had just worked out, so of course I am a little sore. And then I hear people at abortion access rallies sharing the gut-wrenching stories of the wanted pregnancies that would kill the carrying parent. Stories of fatal fetal anomalies, where should the fetus survive to birth, it would not survive much after that. Stories of the genetic abnormalities, leaving the potential fetus with no quality of life. All wanted pregnancies--with parents getting the news at 15, 16, to 20-weeks pregnant--each one of these individuals made the decision to end their pregnancy in the hopes of a better opportunity in the future. Allow me to clarify that. Each one of those individuals had an abortion, but it was still a pregnancy loss. They are as much a member of this club as those of us who experience spontaneous abortions, or miscarriages, or stillbirths, or any number of reasons infancy loss occurs. Story after story, and I can barely keep my composure.

As I remind myself that because of my age, and my history, and the quality of my health insurance, I have access to genetic testing and ultrasounds that most of those people did not have access to. I know my little girl has two arms and two legs. Every genetic test points towards a healthy baby in my future, but under the best of circumstances, pregnancy is a wide range of emotions. It is a physically and emotionally stressful time; when you have experienced pregnancy loss, that stress is amplified. And when politicians and those writing laws tell you, you may not have access to the healthcare you need if, God forbid, something goes wrong again, they tell you your life is not worth saving; your future ability to start a family and have a healthy pregnancy is not worth it. Well, it all feels a bit unbearable, and none of this added stress is good for me or the future of my pregnancy. While all signs point to a healthy pregnancy, nothing in life is guaranteed. Until November, the what if lingers in the back of my mind. And until March, I will hold my breath with every ache and every pain and every bathroom break, quietly fearing the worst while hoping for the best. Pregnancy loss and unfettered access to abortion care are inextricably linked. I implore each and every one of my

colleagues to honor Pregnancy and Infancy Loss Awareness Month by talking to the experts: Gynecologists, OBs, members of the American College of Obstetrics and Gynecology. By talking to those of us who have gone through it.

Thank you, Mr. President.

The PRESIDING OFFICER. Thank you. Congratulations on your pregnancy, and we wish you the best.

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 736** and **SB 1123**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. Pursuant to Senate Rule 13(c)(2)(i), the bills will be referred to the Committee on Rules and Executive Nominations.

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 118**, **SB 439**, **SB 1027** and **SB 1287**, with the information the House has passed the same without amendments.

BILLS SIGNED

The PRESIDING OFFICER. The Chair wishes to announce the following bills were signed by the President pro tempore (Senator Jacob D. Corman III) in the presence of the Senate:

SB 118, **SB 439**, **SB 1027** and **SB 1287**.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I move that the Senate do now recess until Tuesday, October 25, 2022, at 12 m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 6:37 p.m., Eastern Daylight Saving Time.