
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 917 Session of
2007

INTRODUCED BY PHILLIPS, BELFANTI, PICKETT, ARGALL, BOYD,
CALTAGIRONE, CAPPELLI, CARROLL, COX, CURRY, DALEY, DALLY,
EVERETT, FAIRCHILD, GEIST, GEORGE, GIBBONS, GINGRICH, GRELL,
HERSHEY, HESS, M. KELLER, McILHATTAN, MILLARD, R. MILLER,
MURT, PETRONE, REICHLEY, ROHRER, RUBLEY, SAYLOR, SCHRODER,
SIPTROTH, STABACK, STERN AND FABRIZIO, MARCH 22, 2007

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 22, 2007

AN ACT

1 Amending the act of February 1, 1966 (1965 P.L.1656, No.581),
2 entitled "An act concerning boroughs, and revising, amending
3 and consolidating the law relating to boroughs," further
4 providing for general powers of borough.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 1201(4)(iv) of the act of February 1,
8 1966 (1965 P.L.1656, No.581), known as The Borough Code, amended
9 November 29, 2004 (P.L.1337, No.170), is amended to read:

10 Section 1201. General Powers.--A borough may:

11 * * *

12 (4) Purchase, acquire by gift, or otherwise, hold, lease,
13 let and convey, by sale or lease, such real and personal
14 property as shall be deemed to be to the best interest of the
15 borough, subject to the following restrictions, limitations or
16 exceptions:

17 * * *

1 (iv) The provisions of this clause requiring advertising for
2 bids or sale at public auction and sale to the highest bidder
3 shall not apply where borough real or personal property is to be
4 sold to:

5 (A) a county, city, borough, town, township, institution
6 district, school district, volunteer fire company, volunteer
7 ambulance service or volunteer rescue squad located within the
8 borough;

9 (A.1) a council of government, consortium, cooperative or
10 other similar entity created pursuant to 53 Pa.C.S. Ch. 23
11 Subch. A (relating to intergovernmental cooperation);

12 (B) a municipal authority pursuant to the Municipality
13 Authorities Act of 1945;

14 (C) a non-profit corporation engaged in community
15 development or reuse only upon entering into a written agreement
16 with the non-profit corporation that requires the property to be
17 used for industrial, commercial or affordable housing purposes.
18 This exemption shall not apply to property on which existing
19 governmental functions are conducted;

20 (D) where real property is to be sold to a person for his
21 exclusive use in an industrial development program;

22 (E) where real property is to be sold to a non-profit
23 corporation organized as a public library for its exclusive use
24 as a library;

25 (F) where real property is to be sold to a non-profit
26 medical service corporation as authorized by clause (76) of
27 section 1202;

28 (G) where real property is to be sold to a non-profit
29 housing corporation as authorized by clause (77) of section
30 1202;

1 (H) where real property is to be sold to the Commonwealth or
2 to the Federal Government; or

3 (I) where real property is to be sold to a non-profit museum
4 or historical society for its exclusive use as a non-profit
5 museum or historical society.

6 * * *

7 Section 2. This act shall take effect in 60 days.