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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2022 Session of  
2011

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INTRODUCED BY PEIFER, BROOKS, PYLE, AUMENT, BARRAR, BLOOM,  
BOBACK, BOYD, R. BROWN, CALTAGIRONE, CARROLL, CAUSER, CLYMER,  
CUTLER, DALEY, DAVIS, DUNBAR, EVANKOVICH, EVERETT, GABLER,  
GEIST, GIBBONS, GILLEN, GINGRICH, GODSHALL, GOODMAN, GRELL,  
GROVE, HARHART, HEFFLEY, HESS, KAUFFMAN, M. K. KELLER,  
KILLION, LAWRENCE, MAJOR, MANN, MARSHALL, MASSER, MILLARD,  
MILLER, MILNE, MOUL, MUNDY, OBERLANDER, PICKETT, QUINN, REED,  
REICHLEY, ROAE, ROCK, ROSS, SAINATO, SAYLOR, SCAVELLO,  
CULVER, SIMMONS, SONNEY, STEPHENS, STERN, TALLMAN, TOEPEL,  
TOOHIL, VULAKOVICH, WATSON AND YOUNGBLOOD, NOVEMBER 18, 2011

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REFERRED TO COMMITTEE ON COMMERCE, NOVEMBER 18, 2011

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AN ACT

1 Providing for the Pennsylvania Business Permitting Portal within  
2 the Department of Community and Economic Development; and  
3 creating the Pennsylvania Business Permitting Portal Advisory  
4 Board.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Pennsylvania  
9 Business Permitting Portal Act.

10 Section 2. Intent and purpose.

11 It is the intent of this act and its purpose shall be:

12 (1) To provide one-stop services to assist businesses in  
13 identifying and securing appropriate permits, licenses,  
14 certifications, applications, forms and registrations needed  
15 to establish and operate a business in this Commonwealth.

1           (2) To establish the Pennsylvania Business Permitting  
2 Portal to provide an electronic single access point to aid  
3 existing and potential business owners in completing the  
4 various business registration forms and permit applications  
5 required to establish and operate a business in this  
6 Commonwealth.

7           (3) To provide for the compilation of a comprehensive  
8 listing of all permits required by Commonwealth agencies and  
9 categorize the required permits into a format that is readily  
10 available to business owners.

11           (4) To promote efficient dialogue between permit  
12 applicants and the Commonwealth agency responsible for the  
13 review of permit applications.

#### 14 Section 3. Definitions.

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

18       "Commonwealth agencies." Any office, department, authority,  
19 board or commission of the Executive Department of the  
20 Commonwealth.

21       "Department." The Department of Community and Economic  
22 Development of the Commonwealth.

23       "Individual business account." A secure online account  
24 maintained by the Department of Community and Economic  
25 Development to store individualized information relating to a  
26 business's activities through the permitting portal.

27       "Local permitting authorities." Any municipality or  
28 municipal authority which has the authority to issue a permit.

29       "Permit." The whole, part or the renewal of any permit,  
30 certificate, license, approval, registration, charter or any

1 other form of permission issued by a Commonwealth agency to  
2 allow for the operation of a business in this Commonwealth.

3 "Permit application." Any request to a Commonwealth agency  
4 which is necessary to obtain a permit.

5 "Permitting portal." The Pennsylvania Business Permitting  
6 Portal established under section 4.

7 "Secretary." The Secretary of the Community and Economic  
8 Development.

9 Section 4. Establishment of the Pennsylvania Business  
10 Permitting Portal.

11 (a) Establishment.--The department shall establish the  
12 Pennsylvania Business Permitting Portal to provide a single  
13 online access point to aid existing and potential business  
14 owners in completing the necessary permit applications  
15 associated with establishing and operating a business in this  
16 Commonwealth.

17 (b) Permitting portal functions.--The permitting portal  
18 shall, at a minimum, allow for the following:

19 (1) The creation of an individual business account to  
20 store general information on the business, which will be used  
21 to automatically fill in recurring fields on a permit  
22 application.

23 (2) The electronic submission of a permit application.

24 (3) The electronic submission of permit fees or fines.

25 (4) The tracking of status of payments from Commonwealth  
26 agencies to contractors.

27 (5) The tracking of pending permit applications.

28 (6) The recording of electronic signatures.

29 (7) Access to customized, agency-created to-do  
30 checklists specific to the individual business account.

1 (8) Online interaction with the department to resolve  
2 difficulties with the permitting portal.

3 (9) Online interaction with Commonwealth agencies to  
4 resolve questions relating to permit applications.

5 (10) The protection of the confidentiality of all  
6 information submitted through the permitting portal.

7 (11) The recording of backup records of all activities,  
8 including time-stamp information on the submission of permit  
9 applications.

10 (12) The listing of information relating to local permit  
11 application information for relevant local permitting  
12 authorities.

13 Section 5. Cooperation between the department and Commonwealth  
14 agencies.

15 (a) Permit identification.--The department shall coordinate  
16 with the Commonwealth agencies to identify permits that are:

17 (1) Appropriate for inclusion in the permitting portal.

18 (2) Compatible with or that may be made compatible with  
19 the permitting portal.

20 (b) Cooperation.--The department and Commonwealth agencies  
21 shall cooperate in good faith to integrate the maximum number of  
22 permits into the permitting portal.

23 Section 6. Preservation of Commonwealth agency authority.

24 (a) Existing regulatory authority.--This act shall not  
25 supersede any regulatory authority granted to any Commonwealth  
26 agency.

27 (b) Existing permit authority.--A Commonwealth agency listed  
28 on the department's portal shall maintain final authority to do  
29 the following:

30 (1) Determine the permits appropriate for inclusion on

1 the permitting portal.

2 (2) Approve or deny permits according to applicable law.

3 (3) Determine the requirements for submission and  
4 payment of permit application fees and fines.

5 Section 7. Liability.

6 This act shall not impose any liability on the department  
7 resulting from the operation of the permitting portal.

8 Section 8. Pennsylvania Business Permitting Portal Advisory  
9 Board.

10 (a) Establishment.--There is established within the  
11 department an advisory board known as the Pennsylvania Business  
12 Permitting Portal Advisory Board.

13 (b) Duties.--The board shall advise the department on ways  
14 to ensure that the permitting portal system is operated in an  
15 effective and user-friendly manner for existing and potential  
16 business owners.

17 (c) Membership.--The board shall consist of seven members as  
18 follows:

19 (1) The Secretary of Community and Economic Development  
20 or his designee.

21 (2) One member appointed by the President pro tempore of  
22 the Senate.

23 (3) One member appointed by the Minority Leader of the  
24 Senate.

25 (4) One member appointed by the Speaker of the House of  
26 Representatives.

27 (5) One member appointed by Minority Leader of the House  
28 of Representatives.

29 (6) One member appointed by the Governor representing  
30 small business.

1           (7) One member appointed by the Governor representing  
2       business or industry.

3       (d) Chairperson.--The secretary or his designee shall serve  
4       as the chairperson. The board may elect additional officers as  
5       it deems necessary.

6       (e) Terms.--Members shall serve without compensation at the  
7       pleasure of the respective appointing authority, but shall be  
8       reimbursed for expenses.

9       Section 23. Effective date.

10       This act shall take effect in 60 days.