

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 375 Session of 2011

INTRODUCED BY PILEGGI, ALLOWAY, EICHELBERGER, ERICKSON, ORIE, FONTANA, YAW, SOLOBAY, WAUGH, RAFFERTY, SMUCKER, FOLMER, EARLL, PIPPY, MENSCH AND BROWNE, FEBRUARY 4, 2011

SENATOR EICHELBERGER, LOCAL GOVERNMENT, AS AMENDED, APRIL 12, 2011

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in municipalities, further providing
3 for administration and for money.



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

6 Section 1. Sections 5610 and 5612 of Title 53 of the
7 Pennsylvania Consolidated Statutes are amended by adding
8 subsections to read:



9 § 5610. Governing body.

10 * * *

11 (g) Liability. If repayment is not made under section
12 5612(a.1)(2) (relating to money of authority), members of the
13 board who approved the grant or loan are jointly and severally
14 liable to make the repayment and a ratepayer shall have standing
15 to bring an action to recover the money on behalf of the
16 authority.

17 SECTION 1. SECTION 5612 OF TITLE 53 OF THE PENNSYLVANIA



1 CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBSECTION TO READ:

2 § 5612. Money of authority.

3 * * *

4 (a.1) Prohibition.--

5 (1) Money of the authority may not be used for any
6 grant, loan or other expenditure for any purpose other than a
7 service or project directly related to the mission or purpose
8 of the authority as set forth in the articles of
9 incorporation or in the resolution or ordinance establishing
10 the authority under section 5603 (relating to method of
11 incorporation).

12 ~~(2) The recipient of money used in violation of~~ ←
13 ~~paragraph (1) shall repay the money to the authority. A~~ ←
14 RATEPAYER TO AN AUTHORITY SHALL HAVE A CAUSE OF ACTION IN THE
15 COURT OF COMMON PLEAS WHERE THE AUTHORITY IS LOCATED TO SEEK
16 THE RETURN OF MONEY EXPENDED IN VIOLATION OF PARAGRAPH (1)
17 FROM THE RECIPIENT.

18 * * *

19 ~~Section 2. The addition of 53 Pa.C.S. § 5610(g) shall apply~~ ←
20 ~~to grants, loans and expenditures made on or after the effective~~
21 ~~date of this section.~~

22 Section 3 2. This act shall take effect in 60 days. ←