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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1343 Session of  
2015

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INTRODUCED BY DAVIS, D. COSTA, KINSEY, SCHWEYER, DAY, COHEN,  
GROVE, McCARTER, DeLUCA, MURT, DONATUCCI, ROZZI, GALLOWAY,  
McNEILL, PASHINSKI AND STURLA, JUNE 18, 2015

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 18, 2015

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AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania  
2 Consolidated Statutes, providing for municipal-owned  
3 infrastructure.

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

6 Section 1. Title 53 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 62

9 MUNICIPAL-OWNED INFRASTRUCTURE

10 Sec.

11 6201. Definitions.

12 6202. Sale or transfer of water or sewer infrastructure to  
13 municipality.

14 6203. Sale or transfer of municipal-owned water or sewer  
15 infrastructure.

16 § 6201. Definitions.

17 The following words and phrases when used in this chapter  
18 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Public benefit." The term includes a rate reduction,  
3 improved service quality, improved service reliability or other  
4 clearly defined benefit to a ratepayer of the municipality.

5 § 6202. Sale or transfer of water or sewer infrastructure to  
6 municipality.

7 A municipality may not acquire by a device or means,  
8 including a consolidation, merger, purchase or lease or through  
9 the purchase of stock, bonds or other security, title to or  
10 possession or use of all or a substantial portion of water or  
11 sewer infrastructure, unless the municipality has discussed the  
12 acquisition at a public meeting and the written minutes of the  
13 meeting contain details relating to the anticipated or projected  
14 public benefit that will be realized by the acquisition.

15 § 6203. Sale or transfer of municipal-owned water or sewer  
16 infrastructure.

17 (a) General rule.--A municipality may not sell or transfer  
18 to title to all or a portion of the water or sewer  
19 infrastructure of the municipality, unless the municipality has  
20 discussed the sale or transfer at a public meeting and the  
21 written minutes of the meeting contain details relating to the  
22 anticipated or projected public benefit that will be realized by  
23 the sale or transfer.

24 (b) Public meeting.--

25 (1) The public meeting must include a public comment  
26 period.

27 (2) A ratepayer of the municipality shall be notified of  
28 the public meeting on a monthly billing statement not more  
29 than 60 days nor less than 30 days prior to the public  
30 meeting. The notification shall:

1           (i) be posted in a clear and conspicuous manner on  
2           the billing statement; and  
3           (ii) state that the ratepayer is entitled to comment  
4           at the public meeting.

5           Section 2. This act shall apply as follows:

6           (1) The addition of 53 Pa.C.S. § 6202 shall apply to  
7           title to or possession or use of all or a substantial portion  
8           of the water or sewer infrastructure which is acquired on or  
9           after the effective date of this section.

10          (2) The addition of 53 Pa.C.S. § 6203 shall apply to the  
11          sale or transfer of title to all or a portion of the water or  
12          sewer infrastructure sold or transferred on or after the  
13          effective date of this section.

14          Section 3. This act shall take effect in 60 days.