

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1284 Session of 2017

INTRODUCED BY PEIFER, PICKETT, DRISCOLL, DUNBAR, M. K. KELLER, OBERLANDER, DAVIS, O'NEILL, BAKER, GROVE, KAUFFMAN, R. BROWN, CAUSER, MILLARD, BLOOM, SANKEY, B. MILLER, PASHINSKI, HELM, D. COSTA, ZIMMERMAN, KEEFER, GILLEN, PHILLIPS-HILL AND MURT, APRIL 25, 2017

AS REPORTED FROM COMMITTEE ON COMMERCE, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 12, 2018

AN ACT

1 Providing for the Pennsylvania Business Permitting Portal within
2 the Department of Community and Economic Development, and <--
3 ~~establishing the Pennsylvania Business Permitting Portal~~
4 ~~Advisory 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. Legislative intent.

11 The General Assembly recognizes the following public policy
12 purposes and declares the following objectives of the
13 Commonwealth are to be served by this act:

14 (1) To provide one-stop services to assist businesses in
15 identifying and securing appropriate permits, licenses,
16 certifications, applications, forms and registrations needed
17 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 ~~"Board." The Pennsylvania Business Permitting Portal~~ <--
19 ~~Advisory Board established under section 8.~~

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

23 "Department." The Department of Community and Economic
24 Development of the Commonwealth.

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

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

1 "Permit." The whole, part or the renewal of any permit,
2 certificate, license, approval, registration, charter or any
3 other form of permission issued by a Commonwealth agency to
4 allow for the operation of a business in this Commonwealth.

5 "Permit application." Any request to a Commonwealth agency
6 which is necessary to obtain a permit.

7 "Permitting portal." The Pennsylvania Business Permitting
8 Portal established under section 4.

9 "Secretary." The Secretary of Community and Economic
10 Development.

11 Section 4. Establishment of the Pennsylvania Business
12 Permitting Portal.

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

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

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

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

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

27 (4) The tracking of status of payments from Commonwealth
28 agencies to contractors.

29 (5) The tracking of pending permit applications.

30 (6) The recording of electronic signatures.

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

3 (8) Online interaction with the department to resolve
4 difficulties with the permitting portal.

5 (9) Online interaction with Commonwealth agencies to
6 resolve questions relating to permit applications.

7 (10) The protection of the confidentiality of all
8 information submitted through the permitting portal.

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

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

15 Section 5. Cooperation between the department and Commonwealth
16 agencies.

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

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

20 (2) Compatible with or that may be made compatible with
21 the permitting portal.

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

25 Section 6. Preservation of Commonwealth agency authority.

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

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

1 the following:

2 (1) Determine the permits appropriate for inclusion on
3 the permitting portal.

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

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

7 Section 7. Liability.

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

10 ~~Section 8. Pennsylvania Business Permitting Portal Advisory~~ <--
11 ~~Board.~~

12 ~~(a) Establishment. There is established within the~~
13 ~~department an advisory board known as the Pennsylvania Business~~
14 ~~Permitting Portal Advisory Board.~~

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

19 ~~(c) Membership. The board shall consist of seven members as~~
20 ~~follows:~~

21 ~~(1) The Secretary of Community and Economic Development~~
22 ~~or his designee.~~

23 ~~(2) One member appointed by the President pro tempore of~~
24 ~~the Senate.~~

25 ~~(3) One member appointed by the Minority Leader of the~~
26 ~~Senate.~~

27 ~~(4) One member appointed by the Speaker of the House of~~
28 ~~Representatives.~~

29 ~~(5) One member appointed by the Minority Leader of the~~
30 ~~House of Representatives.~~

1 ~~(6) One member appointed by the Governor representing~~
2 ~~small business.~~

3 ~~(7) One member appointed by the Governor representing~~
4 ~~business or industry.~~

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

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

11 Section 9 8. Effective date. <--

12 This act shall take effect ~~in 60 days~~ IMMEDIATELY. <--