

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1469 Session of 2017

INTRODUCED BY HEFFLEY, MCGINNIS, MILLARD, MALONEY, PHILLIPS-HILL, COX, WHEELAND AND ZIMMERMAN, MAY 31, 2017

AS REPORTED FROM COMMITTEE ON LABOR AND INDUSTRY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 14, 2017

AN ACT

1 Amending the act of November 10, 1999 (P.L.491, No.45), entitled
2 "An act establishing a uniform construction code; imposing
3 powers and duties on municipalities and the Department of
4 Labor and Industry; providing for enforcement; imposing
5 penalties; and making repeals," in adoption and enforcement
6 by municipalities, further providing for administration and
7 enforcement.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 501 of the act of November 10, 1999
11 (P.L.491, No.45), known as the Pennsylvania Construction Code
12 Act, is amended by adding a subsection to read:

13 Section 501. Administration and enforcement.

14 * * *

15 (b.1) Administration and enforcement by third-party
16 agencies.--If a municipality contracts with one or more third-
17 party agencies for the administration and enforcement of this
18 act, the municipality shall have the following duties:

19 (1) Ensuring that the form utilized for a permit
20 application notifies an applicant of all of the following:

1 (i) The authority of a third-party agency exists as
2 a result of a contract approved by the governing body of
3 the municipality, or as a result of intermunicipal
4 agreement under 53 Pa.C.S. Ch. 23 Subch. A entered into
5 by the municipality.

6 (ii) An applicant may inform the governing body of
7 the municipality of complaints about a third-party
8 agency's services, including reports of incompetence or
9 gross negligence, a failure to abide by a time period
10 specified under this act, rude or unprofessional behavior
11 or discrimination based on personal bias against the
12 applicant.

13 (iii) The department certifies third-party agencies
14 and investigates complaints about service, including
15 complaints due to violations of this act, incompetence or
16 gross negligence, fraud, deceit or acts of moral
17 turpitude.

18 (IV) THE DEPARTMENT HAS A PUBLICLY ACCESSIBLE <--
19 INTERNET WEBSITE WHICH INCLUDES THE FORM FOR FILING A
20 COMPLAINT ABOUT SERVICE UNDER SUBPARAGRAPH (III).

21 (2) Maintaining a record of complaints submitted under
22 paragraph (1)(ii).

23 * * *

24 Section 2. The department may issue regulations to establish
25 or clarify procedures necessary to effectuate the intent of this
26 act.

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