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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1888 Session of  
2017

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INTRODUCED BY JAMES, HARPER, KAMPF, FREEMAN AND DALEY,  
OCTOBER 25, 2017

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 25, 2017

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AN ACT

1 Amending Titles 8 (Boroughs and Incorporated Towns) and 11  
2 (Cities) of the Pennsylvania Consolidated Statutes, in  
3 corporate powers, further providing for personal property;  
4 and, in corporate powers, further providing for city property  
5 and affairs.

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

8 Section 1. Section 1201.2(a) and (b) of Title 8 of the  
9 Pennsylvania Consolidated Statutes are amended to read:

10 § 1201.2. Personal property.

11 (a) Sale.--Except as provided in subsection (b), no borough  
12 personal property may be disposed of, by sale or otherwise,  
13 except upon approval of council by resolution. In cases when  
14 council approves a sale of the property, council shall estimate  
15 the fair market value of the entire lot to be disposed of. If  
16 council estimates the fair market value to be [\$1,000] \$2,000 or  
17 more, the entire lot shall be advertised for sale once in at  
18 least one newspaper of general circulation not less than ten  
19 days prior to the date scheduled for the opening of bids or

1 public auction. The date of opening of bids or public auction  
2 shall be announced in the advertisement, and sale of the  
3 property advertised shall be made to the best responsible  
4 bidder.

5 \* \* \*

6 (b) Exception for small value sales.--Council shall, by  
7 resolution, adopt a procedure for the sale of surplus personal  
8 property, either individual items or lots of items, of an  
9 estimated fair market value of less than [\$1,000] \$2,000. The  
10 approval of council shall not be required for any individual  
11 sale that shall be made in conformity to the procedure.

12 \* \* \*

13 Section 2. Section 12402.1(c) of Title 11 is amended to  
14 read:

15 § 12402.1. City property and affairs.

16 \* \* \*

17 (c) Sale of personal property.--

18 (1) No personal property of the city shall be disposed  
19 of, by sale or otherwise, except upon approval of council by  
20 resolution.

21 (2) Council shall estimate the sale value of the entire  
22 lot to be disposed of.

23 (3) If council estimates the sale value to be less than  
24 [\$1,000] \$2,000, council may sell the property, in whole or  
25 in part, for the best price or prices obtainable.

26 (4) If council estimates the sale value to be [\$1,000]  
27 \$2,000 or more, the entire lot shall be advertised for sale  
28 in at least one newspaper of general circulation in  
29 accordance with the provisions of section 10109 (relating to  
30 publication of notices), and sale of the property advertised

1 shall be made to the best responsible bidder.

2 (5) The bids shall not be opened until at least 10 days  
3 after the newspaper advertisement is published.

4 (6) The provisions of this subsection shall not be  
5 mandatory where personal property of the city is to be traded  
6 in or exchanged for other personal property.

7 (7) Council may sell any personal property of the city  
8 at auction pursuant to subsection (d) but shall observe the  
9 same notice requirements as contained in this subsection.

10 \* \* \*

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