

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1962 Session of
2017

INTRODUCED BY READSHAW, D. COSTA, P. COSTA, DEASY, RAVENSTAHL,
BARBIN, O'NEILL, THOMAS AND FRANKEL, DECEMBER 11, 2017

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, DECEMBER 11, 2017

AN ACT

1 Amending the act of July 8, 1919 (P.L.784, No.322), entitled "An
2 act empowering cities of the second and third classes,
3 boroughs, and counties, to acquire, maintain, and operate
4 playgrounds, playfields, gymnasiums, public baths, swimming
5 pools, and indoor recreation centers; authorizing school
6 districts to join in the maintenance and operation of said
7 activities; and authorizing the issue of bonds and the levy
8 of taxes for such purposes," providing for development of
9 public parks in cities of the second class.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. The act of July 8, 1919 (P.L.784, No.322),
13 entitled "Empowering cities of the second and third classes,
14 boroughs, and counties, to acquire, maintain, and operate
15 playgrounds, playfields, gymnasiums, public baths, swimming
16 pools, and indoor recreation centers; authorizing school
17 districts to join in the maintenance and operation of said
18 activities; and authorizing the issue of bonds and the levy of
19 taxes for such purposes," is amended by adding a section to
20 read:

21 Section 8. (a) The qualified voters of a city of the second

1 class shall determine by a ballot question whether to establish
2 an annual special public park tax on all taxable property of the
3 municipality under the following procedures:

4 (1) Subject to paragraph (2), the municipal officers of
5 a city of the second class may submit to the qualified voters
6 the question of the public park tax at any time.

7 (2) If petitioned for by 3% of the number of
8 individuals who voted in the last preceding general or
9 municipal election, the municipal officers of a city of the
10 second class shall submit to the qualified voters the
11 question of the public park tax.

12 (3) The question shall be placed on the ballot at the
13 time of the next general, municipal or primary election that
14 occurs not less than 60 days from:

15 (i) the date of the decision of the municipal
16 officers to submit the question of the public park tax;
17 or

18 (ii) the date of submission of the petition under
19 paragraph (2).

20 (4) If the majority of votes cast approves of the public
21 park tax, at the first meeting following the official
22 announcement of the results of the election the municipal
23 officers shall:

24 (i) Take the necessary steps to levy and collect the
25 tax.

26 (ii) Appoint the board of directors of a tax-exempt
27 nonprofit organization under section 501(c)(3) of the
28 Internal Revenue Code of 1986 (Public Law 99-514, 26
29 U.S.C. § 501(c)(3)) whose purpose is to restore public
30 parks in partnership with government and the community to

1 have exclusive control of the public park tax revenue,
2 provided that the municipal officers may name
3 representatives to the board of directors, including the
4 mayor and a member of city council, and provided that all
5 revenue is used in accordance with subsection (d).

6 (b) The following shall apply:

7 (1) Subject to paragraph (2), the public park tax
8 established under this section shall be an annual tax which
9 shall remain in effect until another vote is taken to change
10 it.

11 (2) Municipal officers of a city of the second class
12 which approves the public park tax may increase the rate
13 without submitting the question to the voters.

14 (c) The public park tax shall be levied and collected in the
15 same manner as other taxes in the city of the second class and
16 shall be in addition to all other taxes, unless the city of the
17 second class incorporates the public park tax in the general
18 levy.

19 (d) The public park tax may not be used for any purpose
20 other than the establishment, restoration, improvement and
21 maintenance of aid to and programming in a public park.

22 Section 2. This act shall take effect immediately.