
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 334 Session of
2017

INTRODUCED BY FONTANA, BREWSTER, COSTA, TARTAGLIONE, YUDICHAK,
HAYWOOD, HUGHES, BOSCOLA AND WILLIAMS, FEBRUARY 15, 2017

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 15, 2017

AN ACT

1 Amending the act of April 8, 1949 (P.L.418, No.58), entitled,
2 "An act to provide for and regulate the accumulation,
3 investment, and expenditure of funds by cities, boroughs,
4 incorporated towns and townships for preparing plans for
5 sewage disposal systems, and for the construction,
6 improvement or replacement of sewage disposal systems for
7 which plans have been approved by the Sanitary Water Board of
8 the Commonwealth," providing for short title; further
9 providing for definitions, for creation of a Sewage Disposal
10 System Fund and for expenditure of fund; providing for
11 expenditure of public funds for private lateral sewer lines;
12 and further providing for grants of moneys.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 1 of the act of April 8, 1949 (P.L.418,
16 No.58), entitled, "An act to provide for and regulate the
17 accumulation, investment, and expenditure of funds by cities,
18 boroughs, incorporated towns and townships for preparing plans
19 for sewage disposal systems, and for the construction,
20 improvement or replacement of sewage disposal systems for which
21 plans have been approved by the Sanitary Water Board of the
22 Commonwealth," is repealed:

1 [Section 1. Definitions.--As used in this act, the word or
2 phrase "Municipality" means any city, borough, incorporated
3 town, or township.

4 "Municipality Authority" means a body politic and corporate
5 created pursuant to the provisions of the Municipality
6 Authorities Act of 1945 or the Municipality Authorities Act of
7 1935.

8 "Sewage Disposal System" means a system for the disposal of
9 sewage, including all pipes carrying the sewage and all sewage
10 treatment works.

11 "Special Fund" means a sewage disposal system fund created,
12 invested and expended in accordance with this act.

13 "Sanitary Water Board" means the Sanitary Water Board of the
14 Commonwealth.]

15 Section 2. This act is amended by adding sections to read:

16 Section 1.1. Short Title.-- This act shall be known and may
17 be cited as the Sewage Disposal System Act.

18 Section 1.2. Definitions.--The following words and phrases
19 when used in this act shall have the meanings given to them in
20 this section unless the context clearly indicates otherwise:

21 "Department" means the Department of Environmental Protection
22 of the Commonwealth.

23 "Municipal Authority" means a body politic and corporate
24 created pursuant to the provisions of the former Municipality
25 Authorities Act of 1945, the former Municipality Authorities Act
26 of 1935 or 53 Pa.C.S. Ch. 56 (relating to municipal
27 authorities).

28 "Municipality" means any city, borough, incorporated town, or
29 township.

30 "Private Lateral Sewer Line" means a private sewer line

1 servicing a structure or dwelling and carrying sewage wastes from
2 the structure or dwelling to a sewage disposal system.

3 "Sewage Disposal System" means a public system for the
4 disposal of sewage, including all mainlines, pipes, pump
5 stations and related facilities transporting or carrying the
6 sewage and all sewage treatment works.

7 "Special Fund" means a sewage disposal system fund created,
8 invested and expended in accordance with this act.

9 Section 3. Sections 2 and 4 of the act are amended to read:

10 Section 2. Creation of a Sewage Disposal System Fund.--Any
11 municipality shall have power to create a special fund and to
12 accumulate therein moneys for expenditure in accordance with the
13 provisions of this act. [Such] The special fund may consist of,
14 (1) moneys transferred during any fiscal year from
15 appropriations made for any particular purpose, which may not be
16 needed, (2) surplus moneys in the general fund of the treasury
17 of the municipality at the end of any fiscal year, and (3)
18 moneys appropriated to the fund in the annual budget. All moneys
19 appropriated or transferred to this special fund shall be used
20 only for the planning, construction, improvement or replacement
21 of a sewage disposal system: Provided, That no moneys shall be
22 used for any construction, improvement or replacement unless the
23 plans therefor have been approved by the [Sanitary Water Board]
24 department.

25 Section 4. Expenditure of Fund.--The moneys in any such
26 special fund may be expended by the municipality singly, or
27 jointly with the Federal Government, the Commonwealth or any
28 department or agency thereof, or with one or more other
29 municipalities or [municipality] municipal authorities, only for
30 preparing plans for a sewage disposal system and for the

1 construction, improvement or replacement of a sewage disposal
2 system for which plans have been approved by the [Sanitary Water
3 Board.] department.

4 Section 4. The act is amended by adding a section to read:

5 Section 4.1. Expenditure of Public Funds for Private Lateral
6 Sewer Lines.--(a) A municipality or municipal authority may use
7 public funds for the improvement, extension, repair or
8 rehabilitation of private lateral sewer lines connected to
9 sewage disposal systems, where the municipality or municipal
10 authority determines that those activities will benefit the
11 sewage disposal system or the public health, or will prevent
12 damages to public property.

13 (b) Before using public funds under subsection (a), the
14 municipality or municipal authority shall consider the available
15 public funds, equipment, personnel and facilities and the
16 competing demands of the municipality for the public funds,
17 equipment, personnel and facilities.

18 (c) No municipality or municipal authority that has
19 completed the improvement, extension, repair or rehabilitation
20 of private sewer lines under subsection (a) shall be deemed to
21 be the owner of the private lateral sewer lines, or to have any
22 further responsibility to conduct those activities, unless the
23 municipality or municipal authority makes an affirmative
24 determination to accept such obligations.

25 Section 5. Section 5 of the act is amended to read:

26 Section 5. Grants of Moneys.--Any municipality may
27 appropriate or transfer moneys to a [municipality] municipal
28 authority to be used by it for planning, constructing, improving
29 or replacing a sewage disposal system to serve such
30 municipality.

1 Section 6. This act shall take effect in 60 days.