

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 667 Session of
2017

INTRODUCED BY STEFANO, MCGARRIGLE, ARGALL, GORDNER, KILLION,
BARTOLOTTA, WHITE, YAW, VOGEL, VULAKOVICH, RESCHENTHALER,
LANGERHOLC, BREWSTER, YUDICHAK, WARD AND BLAKE, MAY 4, 2017

AS REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 23, 2018

AN ACT

1 ~~Amending the act of May 24, 1945 (P.L.991, No.385), entitled "An~~ <--
2 ~~act to promote elimination of blighted areas and supply~~
3 ~~sanitary housing in areas throughout the Commonwealth; by~~
4 ~~declaring acquisition, sound replanning and redevelopment of~~
5 ~~such areas to be for the promotion of health, safety,~~
6 ~~convenience and welfare; creating public bodies corporate and~~
7 ~~politic to be known as Redevelopment Authorities; authorizing~~
8 ~~them to engage in the elimination of blighted areas and to~~
9 ~~plan and contract with private, corporate or governmental~~
10 ~~redevelopers for their redevelopment; providing for the~~
11 ~~organization of such authorities; defining and providing for~~
12 ~~the exercise of their powers and duties, including the~~
13 ~~acquisition of property by purchase, gift or eminent domain;~~
14 ~~the leasing and selling of property, including borrowing~~
15 ~~money, issuing bonds and other obligations, and giving~~
16 ~~security therefor; restricting the interest of members and~~
17 ~~employees of authorities; providing for notice and hearing;~~
18 ~~supplying certain mandatory provisions to be inserted in~~
19 ~~contracts with redevelopers; prescribing the remedies of~~
20 ~~obligees of redevelopment authorities; conferring certain~~
21 ~~duties upon local planning commissions, the governing bodies~~
22 ~~of cities and counties, and on certain State officers, boards~~
23 ~~and departments," further providing for powers of an~~
24 ~~authority.~~

25 AMENDING TITLE 68 (REAL AND PERSONAL PROPERTY) OF THE <--
26 PENNSYLVANIA CONSOLIDATED STATUTES, IN LAND BANKS, FURTHER
27 PROVIDING FOR CREATION AND EXISTENCE.

28 The General Assembly of the Commonwealth of Pennsylvania
29 hereby enacts as follows:

1 Section 1. ~~Section 9 of the act of May 24, 1945 (P.L.991,~~
2 ~~No.385), known as the Urban Redevelopment Law, is amended by~~
3 ~~adding subsections to read:~~

4 Section 9. ~~Powers of an Authority. An Authority shall~~
5 ~~constitute a public body, corporate and politic, exercising~~
6 ~~public powers of the Commonwealth as an agency thereof, which~~
7 ~~powers shall include all powers necessary or appropriate to~~
8 ~~carry out and effectuate the purposes and provisions of this~~
9 ~~act, including the following powers in addition to those herein~~
10 ~~otherwise granted:~~

11 * * *

12 ~~(cc) To accept the transfer of real property of the county~~
13 ~~held by the tax claim bureau, as trustee for the county, in a~~
14 ~~repository for unsold property under section 626 of the act of~~
15 ~~July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax~~
16 ~~Sale Law.~~

17 ~~(dd) To accept the transfer of real property of a~~
18 ~~municipality purchased by the municipality under section 29 of~~
19 ~~the act of May 16, 1923 (P.L.207, No.153), referred to as the~~
20 ~~Municipal Claim and Tax Lien Law.~~

21 ~~(ee) To accept the transfer of real property held by a city~~
22 ~~of the second class as agent for taxing bodies having claims~~
23 ~~against the property under section 401 of the act of October 11,~~
24 ~~1984 (P.L.876, No.171), known as the Second Class City~~
25 ~~Treasurer's Sale and Collection Act.~~

26 ~~(ff) To accept donations of real property and extinguish~~
27 ~~delinquent claims for taxes as to the real property as specified~~
28 ~~under section 5.1 of the act of May 16, 1923 (P.L.207, No.153),~~
29 ~~referred to as the Municipal Claim and Tax Lien Law, and section~~
30 ~~303 of the Real Estate Tax Sale Law. For the purposes of this~~

1 ~~subsection, an authority shall have all rights and obligations~~
2 ~~of a municipality under section 5.1 of the Municipal Claim and~~
3 ~~Tax Lien Law and a local taxing district under section 303 of~~
4 ~~the Real Estate Tax Sale Law.~~

5 ~~(gg) To accept the remittance or dedication of a portion of~~
6 ~~real property taxes collected in accordance with the laws of~~
7 ~~this Commonwealth on real property conveyed by an authority if~~
8 ~~the remittance or dedication is authorized by the taxing~~
9 ~~jurisdiction. An authority shall allocate tax revenues collected~~
10 ~~under this subsection beginning in the first taxable year after~~
11 ~~the date of conveyance and for five taxable years thereafter.~~
12 ~~The tax revenue allocated under this subsection may not exceed a~~
13 ~~maximum of 50% of the aggregate property tax revenues generated~~
14 ~~by the real property. The remittance or dedication of real~~
15 ~~property taxes shall include the real property taxes of a school~~
16 ~~district if the school district enters into an agreement with~~
17 ~~the authority for the remittance or dedication.~~

18 ~~Section 2. All acts or parts of acts are repealed insofar as~~
19 ~~they are inconsistent with the addition of section 9(cc), (dd),~~
20 ~~(ee), (ff) and (gg) of the act.~~

21 SECTION 1. SECTION 2104 OF TITLE 68 OF THE PENNSYLVANIA <--
22 CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBSECTION TO READ:
23 § 2104. CREATION AND EXISTENCE.

24 * * *

25 (H) REDEVELOPMENT AUTHORITY.--

26 (1) A LAND BANK JURISDICTION LOCATED IN A COUNTY OF THE
27 SECOND A, THIRD, FOURTH, FIFTH, SIXTH, SEVENTH OR EIGHTH
28 CLASS MAY, BY ORDINANCE, DESIGNATE A REDEVELOPMENT AUTHORITY
29 CREATED FOR THE JURISDICTION AND OPERATING UNDER THE ACT OF
30 MAY 24, 1945 (P.L.991, NO.385), KNOWN AS THE URBAN

1 REDEVELOPMENT LAW, AS LAND BANK FOR THE JURISDICTION. THE
2 ORDINANCE SHALL DESIGNATE THE AUTHORITY AS THE LAND BANK AND
3 CONTAIN THE SPECIFICATIONS OF SUBSECTION (A) (5), (6) AND (7).
4 THE ORDINANCE MAY CONTAIN VOTING OR APPROVAL REQUIREMENTS AS
5 AUTHORIZED BY SECTION 2110(G) (RELATING TO DISPOSITION OF
6 PROPERTY). THE ORDINANCE SHALL BE FILED WITH THE DEPARTMENT
7 OF STATE, WHICH SHALL NOTE IT ON THE RECORD OF INCORPORATION
8 FOR THE AUTHORITY. THE DEPARTMENT SHALL CREATE A MODEL
9 ORDINANCE FOR THE DESIGNATION.

10 (2) A REDEVELOPMENT AUTHORITY DESIGNATED UNDER THIS
11 SUBSECTION SHALL EXERCISE THE POWERS OF A LAND BANK UNDER
12 THIS CHAPTER SUBJECT TO THE FOLLOWING:

13 (I) THE DESIGNATION SHALL NOT AFFECT THE
14 ORGANIZATION, MEMBERSHIP, ELIGIBILITY, TENURE AND
15 COMPENSATION OF THE AUTHORITY BOARD, EXCEPT THAT VOTING
16 REQUIREMENTS SPECIFIED IN SECTIONS 2105(H) (RELATING TO
17 BOARD) AND 2115 (RELATING TO CONFLICTS OF INTEREST) SHALL
18 APPLY TO PROCEEDINGS UNDER THIS CHAPTER. UPON A VACANCY
19 OR EXPIRATION OF THE TERM OF A BOARD MEMBER OCCURRING
20 AFTER THE DESIGNATION, THE LAND BANK JURISDICTION SHALL
21 APPOINT A REPLACEMENT TO ENSURE COMPLIANCE WITH THE
22 REQUIREMENTS OF SECTION 2105(B)(3).

23 (II) SUBJECT TO SUBPARAGRAPH (I), THE AUTHORITY
24 SHALL ESTABLISH RULES, POLICIES AND PROCEDURES CONSISTENT
25 WITH THIS CHAPTER FOR LAND BANK ACTIVITIES.

26 (III) THE AUTHORITY AS LAND BANK SHALL ONLY ACQUIRE,
27 HOLD AND DISPOSE OF PROPERTY IN ACCORDANCE WITH THIS
28 CHAPTER. FINANCES OF THE AUTHORITY AS LAND BANK SHALL BE
29 RETAINED AND ACCOUNTED FOR SEPARATELY FROM FINANCES HELD
30 FOR OTHER AUTHORITY PURPOSES AND SHALL BE SUBJECT TO

1 SECTION 2119 (RELATING TO ANNUAL AUDIT AND REPORT).

2 (3) THE DESIGNATION OF THE AUTHORITY AS LAND BANK MAY BE
3 REVOKED IN THE SAME MANNER AS THE DISSOLUTION OF A LAND BANK
4 UNDER SECTION 2114 (RELATING TO DISSOLUTION OF LAND BANK).

5 Section 3 2. This act shall take effect in 60 days.

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