
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 801 Session of
2019

INTRODUCED BY BLAKE, FONTANA, SANTARSIERO, BREWSTER, FARNESE,
GORDNER, HUGHES, HAYWOOD, COSTA, BROWNE, YUDICHAK AND
TARTAGLIONE, JULY 15, 2019

REFERRED TO URBAN AFFAIRS AND HOUSING, JULY 15, 2019

AN ACT

1 Amending the act of December 3, 1959 (P.L.1688, No.621),
2 entitled "An act to promote the health, safety and welfare of
3 the people of the Commonwealth by broadening the market for
4 housing for persons and families of low and moderate income
5 and alleviating shortages thereof, and by assisting in the
6 provision of housing for elderly persons through the creation
7 of the Pennsylvania Housing Finance Agency as a public
8 corporation and government instrumentality; providing for the
9 organization, membership and administration of the agency,
10 prescribing its general powers and duties and the manner in
11 which its funds are kept and audited, empowering the agency
12 to make housing loans to qualified mortgagors upon the
13 security of insured and uninsured mortgages, defining
14 qualified mortgagors and providing for priorities among
15 tenants in certain instances, prescribing interest rates and
16 other terms of housing loans, permitting the agency to
17 acquire real or personal property, permitting the agency to
18 make agreements with financial institutions and Federal
19 agencies, providing for the purchase by persons of low and
20 moderate income of housing units, and approving the sale of
21 housing units, permitting the agency to sell housing loans,
22 providing for the promulgation of regulations and forms by
23 the agency, prescribing penalties for furnishing false
24 information, empowering the agency to borrow money upon its
25 own credit by the issuance and sale of bonds and notes and by
26 giving security therefor, permitting the refunding,
27 redemption and purchase of such obligations by the agency,
28 prescribing remedies of holders of such bonds and notes,
29 exempting bonds and notes of the agency, the income
30 therefrom, and the income and revenues of the agency from
31 taxation, except transfer, death and gift taxes; making such
32 bonds and notes legal investments for certain purposes; and
33 indicating how the act shall become effective," in

1 Pennsylvania Housing Affordability and Rehabilitation
2 Enhancement Program, further providing for definitions and
3 for fund.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 401-D of the act of December 3, 1959
7 (P.L.1688, No.621), known as the Housing Finance Agency Law, is
8 amended by adding a definition to read:

9 Section 401-D. Definitions.

10 The following words and phrases when used in this article
11 shall have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "County." A county of the first, second, second class A,
14 third, fourth, fifth, sixth, seventh or eighth class.

15 * * *

16 Section 2. Section 406-D of the act is amended by adding a
17 subsection to read:

18 Section 406-D. Fund.

19 * * *

20 (d) Optional county funding.--

21 (1) The governing body of each county may, by ordinance,
22 increase fees charged by the recorder of deeds for recording
23 any documents except:

24 (i) In counties of the second, second class A,
25 third, fourth, fifth, sixth, seventh and eighth class,
26 deeds and mortgages.

27 (ii) In counties of the first class, deeds,
28 mortgages and related mortgage documents that are or may
29 be subject to 53 Pa.C.S. Ch. 60 Subch. C (relating to
30 affordable housing programs and funding in cities of
31 first class).

1 (2) The governing body of each county shall notify the
2 agency in writing upon adoption of an ordinance provided for
3 under paragraph (1). The notice shall also include a list of
4 the fees to be increased.

5 (3) The additional fees levied by a governing body of a
6 county of the second, second class A, third, fourth, fifth,
7 sixth, seventh or eighth class under paragraph (1) shall not
8 exceed 100% of the amounts charged under the act of June 12,
9 1919 (P.L.476, No.240), referred to as the Second Class
10 County Recorder of Deeds Fee Law, or the act of April 8, 1982
11 (P.L.310, No.87), referred to as the Recorder of Deeds Fee
12 Law, on the effective date of this subsection. The additional
13 fees levied by a governing body of a county of the first
14 class under paragraph (1) shall not exceed 100% of the
15 amounts charged by a city or county of the first class for
16 recording documents other than deeds, mortgages and other
17 related mortgage documents on the effective date of this
18 subsection.

19 (4) Money collected as a result of the fee imposed under
20 this subsection shall be allocated as follows:

21 (i) At least 75% of the money collected shall be
22 deposited into the fund.

23 (ii) A county may retain up to 25% of the money
24 collected to be utilized for local affordable housing
25 efforts, and may, at the discretion of the county,
26 deposit the money into an account already established for
27 such purpose under 53 Pa.C.S. § 6012 (relating to
28 disposition of proceeds in counties).

29 (5) The agency shall give preference to applications for
30 funding under this subsection if the proposed project is

1 located within a county that has enacted an ordinance under
2 paragraph (1).

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