

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1294 Session of 2021

INTRODUCED BY MASSER, MATZIE, HILL-EVANS, RIGBY, JAMES, MERSKI, SCHLOSSBERG, WHEELAND AND SAINATO, APRIL 27, 2021

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 16, 2021

AN ACT

1 Amending the act of July 10, 1987 (P.L.246, No.47), entitled "An
2 act empowering the Department of Community and Economic
3 Development to assist municipalities in avoiding financial
4 distress; declare certain municipalities as financially
5 distressed; providing for the restructuring of debt of
6 financially distressed municipalities; limiting the ability
7 of financially distressed municipalities to obtain government
8 funding; authorizing municipalities to participate in Federal
9 debt adjustment actions and bankruptcy actions under certain
10 circumstances; authorizing certain taxes; and providing for
11 the disincorporation of municipalities and the establishment
12 of unincorporated service districts," in municipal financial
13 distress, FURTHER PROVIDING FOR CONTENTS OF PLAN AND <--
14 providing for municipal assistance.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 ~~Section 1. Chapter 2 of the act of July 10, 1987 (P.L.246, <--~~
18 ~~No.47), known as the Municipalities Financial Recovery Act, is~~
19 ~~amended by adding a subchapter to read:~~

20 SECTION 1. SECTION 241(10) OF THE ACT OF JULY 10, 1987 <--
21 (P.L.246, NO.47), KNOWN AS THE MUNICIPALITIES FINANCIAL RECOVERY
22 ACT, IS AMENDED TO READ:
23 SECTION 241. CONTENTS.

1 A PLAN FORMULATED BY THE APPOINTED COORDINATOR SHALL BE
2 CONSISTENT WITH APPLICABLE LAW AND SHALL INCLUDE ANY OF THE
3 FOLLOWING FACTORS WHICH ARE RELEVANT TO ALLEVIATING THE
4 FINANCIALLY DISTRESSED STATUS OF THE MUNICIPALITY:

5 * * *

6 (10) RECOMMENDATIONS FOR GREATER USE OF COMMONWEALTH
7 ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS, INCLUDING
8 WHETHER ADDITIONAL POSITIONS FOR PERSONNEL OR PROGRAMS AS
9 PROVIDED IN SUBCHAPTER F ARE APPROPRIATE FOR THE
10 MUNICIPALITY.

11 * * *

12 SECTION 2. CHAPTER 2 OF THE ACT IS AMENDED BY ADDING A
13 SUBCHAPTER TO READ:

14 SUBCHAPTER F

15 MUNICIPAL ASSISTANCE

16 Section 291. Municipal redevelopment assistance.

17 The coordinator appointed for a municipality shall, as part
18 of the plan under Subchapter C, provide for the hiring of an <--
19 additional code enforcement officer for the municipality and for
20 the hiring of either a Main Street Program coordinator or Elm
21 Street Program coordinator. The positions shall be funded by the
22 department in accordance with section 295. ADOPTED BY THE <--
23 MUNICIPAL GOVERNING BODY UNDER SUBCHAPTER C OR DEEMED TO BE
24 BENEFICIAL TO ACHIEVING THE OBJECTIVES OF THE PLAN, PROVIDE FOR,
25 IF THE MUNICIPALITY HAS NO CODE ENFORCEMENT OFFICER, THE HIRING
26 OF A CODE ENFORCEMENT OFFICER, OR, IF THE MUNICIPALITY HAS AT
27 LEAST ONE CODE ENFORCEMENT OFFICER, THE HIRING OF AN ADDITIONAL
28 CODE ENFORCEMENT OFFICER, A MAIN STREET PROGRAM MANAGER OR AN
29 ELM STREET PROGRAM MANAGER, OR ANY COMBINATION OF SUCH
30 POSITIONS. THE POSITIONS SHALL BE FUNDED BY THE DEPARTMENT IN

1 ACCORDANCE WITH SECTION 295.

2 Section 292. Code enforcement officer.

3 The code enforcement officer hired under this subchapter
4 shall assist the municipality in processing building and zoning
5 applications and give priority to approving applications that
6 will curb blight and promote economic development.

7 Section 293. Prohibition.

8 A code enforcement officer hired under this subchapter must
9 be an individual, not a third-party agency-, WITH RELEVANT <--
10 EXPERIENCE OR TRAINING IN THE ENFORCEMENT OF MUNICIPAL PROPERTY
11 MAINTENANCE ORDINANCES.

12 Section 294. Main Street Program and Elm Street Program
13 MANAGERS. <--

14 The coordinator shall hire the A Main Street Program <--
15 coordinator or MANAGER AND Elm Street Program coordinator <--
16 MANAGER according to the guidelines for the Keystone Communities <--
17 Program to assist the coordinator and the municipality in
18 revitalization efforts within the community.

19 Section 295. Funding.

20 The department shall reimburse the municipality for which a
21 coordinator has been appointed for the salaries of the <--
22 additional ANY code enforcement officer and the, Main Street <--
23 Program coordinator or MANAGER AND Elm Street Program <--
24 Coordinator MANAGER at the following rates for eight years: <--

- 25 (1) Years one and two - 100%
26 (2) Years three through five - 80%
27 (3) Years six through eight - 50%

28 Section 296. Notice of funding.

29 Upon the initial appropriation of sufficient funds to carry
30 out the provisions of this act or a determination by the

1 department that sufficient funds are available from within the
2 Municipalities Financial Recovery Revolving Aid Fund or another
3 existing source to carry out the provisions of this subchapter,
4 the department shall transmit notice to the Legislative
5 Reference Bureau for publication in the Pennsylvania Bulletin.
6 Section 297. Municipalities exiting distressed level.

7 If the secretary terminates the distressed status of a
8 municipality before eight years have elapsed since the adoption
9 of the exit plan, the municipality shall continue to receive
10 funding in accordance with section 295, until the eight years
11 have expired.

12 Section 2 3. This act shall take effect as follows: <--

13 (1) The addition of section 296 of the act shall take
14 effect immediately.

15 (2) This section shall take effect immediately.

16 (3) The remainder of this act shall take effect upon
17 publication of the notice under section 296 of the act.