

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 477 Session of 2021

INTRODUCED BY J. WARD, HUTCHINSON, DUSH, SCHWANK AND KEARNEY, MARCH 31, 2021

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 15, 2022

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, IN ALTERATION OF TERRITORY OR <--
3 CORPORATE ENTITY AND DISSOLUTION, PROVIDING FOR MUNICIPAL
4 BOUNDARY CHANGE; in consolidated county assessment, further
5 providing for definitions, for changes in assessed valuation
6 and for abstracts of building and demolition permits to be
7 forwarded to the county assessment office; AND MAKING RELATED <--
8 REPEALS.

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

11 ~~Section 1. Section 8802 of Title 53 of the Pennsylvania~~ <--
12 ~~Consolidated Statutes is amended by adding definitions to read:~~

13 SECTION 1. CHAPTER 7 OF TITLE 53 OF THE PENNSYLVANIA <--
14 CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBCHAPTER TO READ:

SUBCHAPTER B

MUNICIPAL BOUNDARY CHANGE

17 SEC.

18 711. SCOPE OF SUBCHAPTER.

19 712. DEFINITIONS.

20 713. INTERPRETATION.

1 714. STREAM BOUNDARIES.
2 715. BOUNDARY CHANGE AGREEMENT BY ABUTTING MUNICIPALITIES.
3 716. PETITION AND ESTABLISHMENT OF DISPUTED BOUNDARIES BY
4 JUDICIAL ASCERTAINMENT.
5 717. JUDICIAL ASCERTAINMENT PROCEDURE.
6 718. EFFECTIVE DATE OF BOUNDARY CHANGE.
7 719. NOTIFICATION OF BOUNDARY CHANGE.
8 720. MONUMENTS.
9 721. WARDS.
10 722. COLLECTION OF TAXES LEVIED PRIOR TO CHANGE OF BOUNDARY AND
11 AUTHORIZED EXPENDITURES.
12 723. ELECTION DISTRICTS AND OFFICERS.
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14 725. ADJUSTMENT OF INDEBTEDNESS.
15 726. JUDICIAL ADJUSTMENT AWARD PROCEEDINGS.
16 727. COMPENSATION, EXPENSES AND COSTS.
17 728. TERRITORY LOCATED IN MULTIPLE COUNTIES.
18 729. BOND ISSUES.
19 § 711. SCOPE OF SUBCHAPTER.
20 THIS SUBCHAPTER RELATES TO MUNICIPAL BOUNDARY CHANGES AND
21 ADJUSTMENTS TO MUNICIPAL INDEBTEDNESS AND PROPERTY RIGHTS
22 FOLLOWING BOUNDARY CHANGE.
23 § 712. DEFINITIONS.
24 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBCHAPTER
25 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
26 CONTEXT CLEARLY INDICATES OTHERWISE:
27 "ABUTTING MUNICIPAL CORPORATIONS." MUNICIPAL CORPORATIONS
28 THAT SHARE CONTIGUOUS TERRITORY.
29 "BOUNDARY ASCERTAINMENT." ESTABLISHMENT OF A MUNICIPAL
30 BOUNDARY BETWEEN ABUTTING MUNICIPAL CORPORATIONS BY JUDICIAL

1 DECREE.

2 "BOUNDARY CHANGE" OR "CHANGE OF BOUNDARY." ANY CHANGE IN THE
3 MUNICIPAL BOUNDARY BETWEEN ABUTTING MUNICIPALITIES, OTHER THAN
4 AS A RESULT OF A MERGER OR CONSOLIDATION UNDER SUBCHAPTER C
5 (RELATING TO CONSOLIDATION AND MERGER), INCLUDING ANY TRANSFER
6 OF TERRITORY, BOUNDARY CLARIFICATION OR BOUNDARY ASCERTAINMENT.

7 "BOUNDARY CLARIFICATION." ESTABLISHMENT OF A MUNICIPAL
8 BOUNDARY BY AGREEMENT UNDER THIS SUBCHAPTER BETWEEN MUNICIPAL
9 CORPORATIONS IN A TERRITORIAL AREA WITH A PREVIOUSLY UNCLEAR
10 BOUNDARY.

11 "CONTIGUOUS TERRITORY." TERRITORY OF WHICH A PORTION ABUTS
12 THE BOUNDARY OF ANOTHER MUNICIPAL CORPORATION, INCLUDING
13 TERRITORY SEPARATED FROM THE EXACT BOUNDARY OF ANOTHER MUNICIPAL
14 CORPORATION BY A STREET, ROAD, RAILROAD OR HIGHWAY OR BY A RIVER
15 OR OTHER NATURAL OR ARTIFICIAL STREAM OF WATER.

16 "GOVERNING BODY." THE COUNCIL IN A CITY, BOROUGH OR
17 INCORPORATED TOWN, THE BOARD OF COMMISSIONERS IN A COUNTY OR
18 TOWNSHIP OF THE FIRST CLASS, THE BOARD OF SUPERVISORS IN A
19 TOWNSHIP OF THE SECOND CLASS OR THE LEGISLATIVE POLICYMAKING
20 BODY IN A HOME RULE MUNICIPALITY.

21 "IMPACTED PROPERTY." A PARCEL OF REAL PROPERTY THAT IS
22 DIVIDED BY A MUNICIPAL BOUNDARY PRIOR TO, OR WILL BE DIVIDED
23 INCIDENT TO, A PROPOSED BOUNDARY CHANGE.

24 "IMPACTED TERRITORY." TERRITORY WHICH IS SUBJECT TO A
25 BOUNDARY CHANGE.

26 "MUNICIPAL CORPORATION." A CITY, BOROUGH, INCORPORATED TOWN,
27 TOWNSHIP OR HOME RULE MUNICIPALITY THAT IS NOT A COUNTY.

28 "MUNICIPALITY." A COUNTY, CITY, BOROUGH, INCORPORATED TOWN
29 OR TOWNSHIP.

30 "UNCLEAR BOUNDARY." CONTIGUOUS TERRITORY BETWEEN TWO

1 MUNICIPAL CORPORATIONS IN WHICH THE EXACT BOUNDARY BETWEEN THE
2 MUNICIPAL CORPORATIONS IS IN DISPUTE OR CANNOT BE READILY
3 DISCERNED AS A RESULT OF CONFLICTING OR MISSING RECORDS.

4 § 713. INTERPRETATION.

5 (A) CERTAIN ACTIONS UNAFFECTED.--NOTHING IN THIS TITLE SHALL
6 PRECLUDE, RESTRICT OR LIMIT SUCCESSIVE CHANGES IN BOUNDARIES AND
7 TERRITORIAL LIMITS OF ANY MUNICIPALITY.

8 (B) COUNTY BOUNDARIES UNAFFECTED.--WHEN A BOUNDARY CHANGE IS
9 MADE UNDER THE PROVISIONS OF THIS TITLE WHICH RESULTS IN A
10 MUNICIPAL CORPORATION WHICH LIES PARTLY IN ONE COUNTY AND PARTLY
11 IN ONE OR MORE OTHER COUNTIES, THE TERRITORY WITHIN THE
12 MUNICIPAL CORPORATION SHALL, FOR COUNTY PURPOSES, BE AND REMAIN
13 A PART OF THE COUNTY IN WHICH THE RESPECTIVE TERRITORY IS
14 PHYSICALLY LOCATED.

15 (C) SCHOOL DISTRICTS UNAFFECTED.--NOTHING IN THIS TITLE, AND
16 NO ACTION TAKEN UNDER THIS TITLE, SHALL AFFECT OR APPLY TO ANY
17 SCHOOL DISTRICT OR ANY SCHOOL DISTRICT BOUNDARY, BUT NOTHING
18 SHALL PRECLUDE FURTHER ACTION FROM BEING TAKEN UNDER THE
19 PROVISIONS OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN
20 AS THE PUBLIC SCHOOL CODE OF 1949, OR OTHER APPLICABLE
21 PROVISIONS OF LAW TO CHANGE THE BOUNDARY OR LOCATION OF A SCHOOL
22 DISTRICT.

23 (D) INITIATIVE AND REFERENDUM.--NOTHING IN THIS TITLE SHALL
24 PRECLUDE A CHANGE OF BOUNDARY BY INITIATIVE AND REFERENDUM AS
25 PROVIDED IN SECTIONS 8 AND 14 OF ARTICLE IX OF THE CONSTITUTION
26 OF PENNSYLVANIA.

27 § 714. STREAM BOUNDARIES.

28 (A) GENERAL RULE.--IF A MUNICIPAL CORPORATION IS BOUNDED BY
29 THE NEAREST MARGIN OF A NAVIGABLE STREAM AND THE OPPOSITE
30 MUNICIPAL CORPORATION IS ALSO BOUNDED BY THE NEAREST MARGIN OF

1 THE SAME STREAM, THE MIDDLE OF THE STREAM SHALL BE THE BOUNDARY
2 BETWEEN THE MUNICIPAL CORPORATIONS.

3 (B) PRIOR ACTIONS UNAFFECTED.--NOTHING IN THIS SECTION SHALL
4 BE CONSTRUED TO AFFECT ANY BOUNDARY ESTABLISHED PRIOR TO THE
5 EFFECTIVE DATE OF THIS SECTION BETWEEN MUNICIPAL CORPORATIONS OR
6 REPEAL ANY LOCAL OR SPECIAL LAW CONTRARY TO THIS SECTION.
7 § 715. BOUNDARY CHANGE AGREEMENT BY ABUTTING MUNICIPALITIES.

8 (A) GENERAL RULE.--TWO OR MORE ABUTTING MUNICIPAL
9 CORPORATIONS, MAY, BY THE ADOPTION OF AN ORDINANCE MEMORIALIZING
10 AN AGREEMENT UNDER THIS SUBCHAPTER:

11 (1) TRANSFER OR EXCHANGE TERRITORY BETWEEN MUNICIPAL
12 CORPORATIONS.

13 (2) ESTABLISH A TERRITORIAL BOUNDARY BETWEEN MUNICIPAL
14 CORPORATIONS BY BOUNDARY CLARIFICATION.

15 (A.1) COUNTY BOUNDARY AGREEMENT BY CERTAIN ABUTTING
16 COUNTIES.--TWO OR MORE ABUTTING COUNTIES MAY, BY THE ADOPTION OF
17 AN ORDINANCE MEMORIALIZING AN AGREEMENT UNDER THIS SUBCHAPTER,
18 TRANSFER TERRITORY BETWEEN COUNTIES TO THE EXTENT NECESSARY TO
19 ALIGN A PORTION OF THE COUNTY TERRITORIAL BOUNDARY WITH THE
20 TERRITORIAL BOUNDARY OF A MUNICIPAL CORPORATION WHERE THE
21 MUNICIPAL CORPORATION IS DIVIDED BY THE EXISTING COUNTY
22 TERRITORIAL BOUNDARY.

23 (B) PROHIBITION ON UNINCORPORATED TERRITORY.--NO BOUNDARY
24 CHANGE MAY RESULT IN TERRITORY NOT INCORPORATED IN ANY MUNICIPAL
25 CORPORATION OR COUNTY.

26 (C) CONTENTS OF ORDINANCE.--AN ORDINANCE UNDER THIS SECTION
27 SHALL PROVIDE A DESCRIPTION OF THE TERRITORY TO BE TRANSFERRED
28 BY A CHANGE OF BOUNDARY, OR TERRITORIAL BOUNDARY TO BE
29 ESTABLISHED WITHIN THE IMPACTED TERRITORY, AND SHALL CONTAIN OR
30 HAVE ATTACHED A PLOT SHOWING THE COURSES AND DISTANCES OF THE

1 BOUNDARIES OF THE MUNICIPALITIES AS FOLLOWS:

2 (1) IN THE CASE OF A TRANSFER OF TERRITORY, MUNICIPAL
3 BOUNDARIES BEFORE AND AFTER THE PROPOSED CHANGE IN THE
4 BOUNDARIES OR TERRITORIAL LIMITS.

5 (2) IN THE CASE OF A BOUNDARY ESTABLISHED TO RESOLVE AN
6 UNCLEAR BOUNDARY, THE PROPOSED BOUNDARY AND A DESCRIPTION OF
7 THE AREA WHICH WAS IN DISPUTE OR UNCLEAR.

8 (D) PUBLIC MEETING.--IN ADDITION TO THE PROCEDURES THAT
9 APPLY TO THE PROPOSAL AND ADOPTION OF ORDINANCES, EACH
10 MUNICIPALITY SHALL ACCEPT PUBLIC COMMENT ON THE PROPOSED
11 ORDINANCE AT A REGULAR OR SPECIAL MEETING OCCURRING NOT LESS
12 THAN 10 DAYS AFTER THE ORDINANCE IS INTRODUCED AND OCCURRING NOT
13 LESS THAN 10 DAYS PRIOR TO THE ADOPTION OF THE ORDINANCE.
14 NOTHING SHALL PREVENT THE MUNICIPALITIES FROM SATISFYING THIS
15 REQUIREMENT BY HOLDING A JOINT PUBLIC MEETING IN ONE OF THE
16 MUNICIPALITIES.

17 (E) NOTIFICATION OF ORDINANCE.--WITHIN 15 DAYS AFTER
18 ENACTMENT OF AN ORDINANCE UNDER THIS SUBCHAPTER, THE GOVERNING
19 BODY OF A MUNICIPALITY SHALL PERFORM ALL OF THE FOLLOWING ACTS:

20 (1) ASSIGN, FOR REFERENCE, A DISTINCTIVE DESIGNATION TO
21 ANY IMPACTED TERRITORY.

22 (2) FILE WITH THE CLERK OF COURT AND BOARD OF
23 COMMISSIONERS OF THE COUNTY, A CERTIFIED COPY OF THE
24 ORDINANCE BY WHICH THE CHANGE WAS EFFECTED, TOGETHER WITH A
25 PLOT, SHOWING THE COURSES AND DISTANCES OF THE BOUNDARIES
26 BEFORE AND AFTER THE CHANGE AND CLEARLY INDICATING ANY
27 DESIGNATION OR DESIGNATIONS, AS PROVIDED IN PARAGRAPH (1). IF
28 THE IMPACTED TERRITORY IS LOCATED IN OR IMPACTS THE
29 TERRITORIAL BOUNDARY OF MORE THAN ONE COUNTY, THE DOCUMENTS
30 AND INFORMATION SHALL BE FILED IN EACH IMPACTED COUNTY.

1 (3) NOTIFY THE RECORD OWNER OF EACH IMPACTED PROPERTY IN
2 WRITING.

3 (F) PETITION AND SUSPENSION OF ORDINANCE.--A BOUNDARY CHANGE
4 UNDER AN ORDINANCE ENACTED UNDER THIS SECTION SHALL BE SUSPENDED
5 FOLLOWING THE PRESENTATION OF A PETITION, IN WRITING, TO THE
6 MUNICIPAL SECRETARY, OR THE CHIEF CLERK OF THE COUNTY, AS THE
7 CASE MAY BE, OF AT LEAST ONE IMPACTED MUNICIPALITY PROTESTING
8 THE PROPOSED BOUNDARY CHANGE. A VALID PETITION UNDER THIS
9 SECTION SHALL BE COMPOSED OF:

10 (1) AT LEAST 20% OF REGISTERED ELECTORS OF THE MUNICIPAL
11 CORPORATION OR COUNTY. PETITIONERS MUST PROVIDE THEIR ADDRESS
12 ON THE PETITION ALONG WITH THEIR RESPECTIVE SIGNATURES; OR

13 (2) AT LEAST ONE OWNER OF AN IMPACTED PROPERTY.

14 (G) DEADLINE FOR FILING PETITION AND NOTICE.--A PETITION
15 UNDER SUBSECTION (F) SHALL BE FILED WITH THE SECRETARY OR CLERK
16 OF THE MUNICIPAL CORPORATION, OR THE CHIEF CLERK OF THE COUNTY,
17 AS THE CASE MAY BE, WHERE THE REGISTERED ELECTORS RESIDE NO
18 LATER THAN THE 20TH DAY AFTER THE DATE ON WHICH THE MUNICIPAL
19 CORPORATION FILES ITS DOCUMENTS UNDER SUBSECTION (E) (2) IN THE
20 COUNTY. IF THE REQUIRED NUMBER OF REGISTERED ELECTORS HAVE
21 SIGNED THE PETITION, THE MUNICIPAL SECRETARY OR CLERK SHALL
22 PROVIDE NOTICE OF THE PETITION TO THE GOVERNING BODY OF ALL
23 IMPACTED MUNICIPALITIES.

24 (H) REFERENDUM.--THE FOLLOWING SHALL APPLY:

25 (1) IF THE REQUIRED NUMBER OF ELECTORS OR OWNERS HAVE
26 SIGNED THE PETITION AS PROVIDED IN SUBSECTION (F) IN ANY
27 IMPACTED MUNICIPAL CORPORATION OR COUNTY, THE GOVERNING BODY
28 OF EACH IMPACTED MUNICIPALITY SHALL CALL FOR A REFERENDUM TO
29 BE HELD AT THE TIME OF THE NEXT GENERAL, MUNICIPAL OR PRIMARY
30 ELECTION OCCURRING AT LEAST 90 DAYS AFTER THE PETITION HAS

1 BEEN FILED, AT WHICH ELECTION THE QUESTION OF WHETHER THE
2 BOUNDARY CHANGE AS PROVIDED IN THE ORDINANCE OF EACH AFFECTED
3 MUNICIPALITY WILL BE SUBMITTED TO THE ELECTORS OF EACH
4 AFFECTED MUNICIPALITY. NOTICE OF THE ELECTION AND THE TEXT OF
5 THE QUESTION TO BE SUBMITTED TO THE ELECTORS SHALL BE
6 PUBLISHED IN THE SAME MANNER AS PUBLICATION IS REQUIRED IN
7 SECTION 1201 OF THE ACT OF JUNE 3, 1937 (P.L.1333, NO.320),
8 KNOWN AS THE PENNSYLVANIA ELECTION CODE.

9 (2) THE QUESTION TO BE SUBMITTED TO THE ELECTORS ON THE
10 ORDINANCE SHALL BE FRAMED TO IDENTIFY THE ORDINANCE, FOLLOWED
11 BY THE WORDS "YES" AND "NO." THE QUESTION SHALL BE PLACED ON
12 THE BALLOT WHICH SHALL BE COUNTED, RETURNED AND COMPUTED IN
13 ACCORDANCE WITH THE ELECTION LAWS OF THIS COMMONWEALTH.

14 (3) IF THE MAJORITY OF THE QUALIFIED ELECTORS OF THE
15 MUNICIPALITY VOTING ON THE ORDINANCE VOTE FOR THE ORDINANCE
16 IN ALL IMPACTED MUNICIPALITIES, THE BOUNDARY CHANGE SHALL
17 TAKE EFFECT.

18 § 716. PETITION AND ESTABLISHMENT OF DISPUTED BOUNDARIES BY
19 JUDICIAL ASCERTAINMENT.

20 (A) JUDICIAL ASCERTAINMENT.--A COURT OF COMMON PLEAS MAY,
21 UPON PRESENTATION OF A PETITION, ASCERTAIN AND ESTABLISH
22 DISPUTED BOUNDARIES OF TWO OR MORE MUNICIPAL CORPORATIONS.

23 (B) BOND REQUIRED.--IF A PETITION IS PRESENTED, THE COURT
24 UNDER SUBSECTION (A) MAY REQUIRE THE PETITIONERS TO FILE A BOND
25 IN A SUFFICIENT AMOUNT TO SECURE THE PAYMENT OF ALL COSTS OF THE
26 PROCEEDING.

27 (C) PETITION REQUIREMENT.--A PETITION UNDER THIS SECTION
28 SHALL BE SUBMITTED IN WRITING BY:

29 (1) ONE OR MORE OWNERS OF AN IMPACTED PROPERTY.

30 (2) TEN OR MORE RESIDENTS OF ANY MUNICIPAL CORPORATION

1 IMPACTED BY THE DISPUTED BOUNDARY.

2 § 717. JUDICIAL ASCERTAINMENT PROCEDURE.

3 (A) APPOINTMENT.--UPON APPLICATION BY PETITION UNDER SECTION
4 716 (RELATING TO PETITION AND ESTABLISHMENT OF DISPUTED
5 BOUNDARIES BY JUDICIAL ASCERTAINMENT), THE COURT SHALL APPOINT
6 THREE IMPARTIAL INDIVIDUALS AS COMMISSIONERS, ONE OF WHOM MUST
7 BE A SURVEYOR OR REGISTERED ENGINEER.

8 (B) HEARING.--AFTER PROVIDING NOTICE TO INTERESTED PARTIES
9 AND UPON PUBLICATION OF THE PETITION, AS DIRECTED BY THE COURT,
10 THE COMMISSIONERS SHALL HOLD A HEARING AND VIEW THE DISPUTED
11 LINES AND BOUNDARIES.

12 (C) STAY OF PROCEEDINGS.--IN THE EVENT THAT THE GOVERNING
13 BODY OF A MUNICIPAL CORPORATION NOTIFIES THE COURT THAT THE
14 IMPACTED MUNICIPAL CORPORATIONS INTEND TO RESOLVE THE DISPUTED
15 BOUNDARY BY AGREEMENT UNDER THIS ACT, THE COURT SHALL STAY ANY
16 PROCEEDINGS UNDER THIS SECTION FOR 90 DAYS. A STAY MAY BE
17 EXTENDED AT THE DISCRETION OF THE COURT IF IT APPEARS THAT THE
18 IMPACTED PARTIES ARE PURSUING AN AGREEMENT IN GOOD FAITH.

19 (D) REPORT.--A MAJORITY OF THE COMMISSIONERS SHALL ISSUE THE
20 REPORT AND RECOMMENDATIONS TO THE COURT, ACCOMPANIED BY A PLOT
21 OR DRAFT OF THE LINES AND BOUNDARIES PROPOSED TO BE ASCERTAINED
22 AND ESTABLISHED IF THE LINES AND BOUNDARIES CANNOT BE FULLY
23 DESIGNATED BY NATURAL LINES OR BOUNDARIES.

24 (E) EXCEPTIONS.--EXCEPTIONS TO THE REPORT UNDER SUBSECTION
25 (D) MAY BE FILED WITHIN 30 DAYS AFTER THE FILING OF THE REPORT
26 BY AN INTERESTED PERSON OR POLITICAL SUBDIVISION. THE COURT
27 SHALL SET AND PROVIDE NOTICE OF A HEARING ON THE EXCEPTIONS.
28 AFTER A HEARING UNDER THIS SUBSECTION, THE COURT MAY SUSTAIN OR
29 DISMISS THE EXCEPTIONS. IF THE COURT HAS SUSTAINED THE
30 EXCEPTIONS, THE COURT MAY REFER THE REPORT BACK TO THE SAME OR

1 NEW COMMISSIONERS WITH THE AUTHORITY TO MAKE ANOTHER REPORT.

2 (F) DECREE.--IF NO EXCEPTIONS ARE FILED WITHIN 30 DAYS AFTER
3 THE FILING OF THE REPORT, OR THE EXCEPTIONS HAVE BEEN DISMISSED,
4 THE COURT SHALL CONFIRM THE REPORT. IF A REPORT IS CONFIRMED,
5 THE COURT SHALL:

6 (1) ENTER A DECREE ASCERTAINING AND ESTABLISHING THE
7 LINES AND BOUNDARIES AS SHOWN IN THE REPORT.

8 (2) DIRECT PUBLICATION OF THE DECREE UNDER PARAGRAPH
9 (1).

10 (3) ORDER THAT THE BOUNDARY LINE BE MARKED BY
11 APPROPRIATE MONUMENTS.

12 (G) COMPENSATION, EXPENSES AND COSTS.--THE COMPENSATION AND
13 EXPENSES OF COMMISSIONERS APPOINTED UNDER SUBSECTION (A) SHALL
14 BE IN A REASONABLE AMOUNT AS APPROVED BY THE COURT. THE COURT
15 SHALL, BY ORDER, PROVIDE HOW COSTS AND EXPENSES OF THE
16 PROCEEDINGS SHALL BE PAID AND MAY ASSESS THE COSTS INDIVIDUALLY
17 OR IN APPORTIONED AMOUNTS AGAINST THE FOLLOWING:

18 (1) THE PETITIONERS.

19 (2) ANY INTERESTED MUNICIPAL CORPORATION.

20 § 718. EFFECTIVE DATE OF BOUNDARY CHANGE.

21 (A) CHANGE BY ORDINANCE.--THE CHANGE IN BOUNDARIES UNDER AN
22 ORDINANCE SHALL TAKE EFFECT ON JANUARY 1 OF THE YEAR FOLLOWING
23 THE DATE ON WHICH ALL OF THE DOCUMENTS UNDER SECTION 715 (E) (2)
24 (RELATING TO BOUNDARY CHANGE AGREEMENT BY ABUTTING
25 MUNICIPALITIES) HAVE BEEN FILED, UNLESS:

26 (1) THE FILING DATE IS WITHIN 60 DAYS PRIOR TO THE END
27 OF A CALENDAR YEAR, IN WHICH CASE THE CHANGE SHALL TAKE
28 EFFECT AS OF JANUARY 1 OF THE SECOND YEAR FOLLOWING THE
29 FILING DATE; OR

30 (2) A TIMELY PETITION IS FILED UNDER SECTION 715 IN

1 WHICH CASE THE PETITION SHALL ACT AS A SUPERSEDEAS AND THE
2 CHANGE IN BOUNDARIES IN ALL IMPACTED MUNICIPALITIES SHALL
3 ONLY TAKE EFFECT IF THE REFERENDUM UNDER SECTION 715 PASSES,
4 WHERE THE BOUNDARY CHANGE SHALL TAKE EFFECT ON JANUARY 1 OF
5 THE YEAR FOLLOWING THE REFERENDUM.

6 (B) CHANGE BY ASCERTAINMENT.--A CHANGE OF BOUNDARIES BY
7 JUDICIAL ASCERTAINMENT SHALL TAKE EFFECT ON THE EFFECTIVE DATE
8 OF THE DECREE.

9 (C) CHANGE BY REFERENDUM.--IN THE EVENT OF A CHANGE OF
10 BOUNDARY UNDER THE PROVISIONS OF SECTION 8 OF ARTICLE IX OF THE
11 CONSTITUTION OF PENNSYLVANIA BY REFERENDUM, THE CHANGE OF
12 BOUNDARY SHALL TAKE EFFECT ON JANUARY 1 OF THE YEAR FOLLOWING
13 THE REFERENDUM.

14 § 719. NOTIFICATION OF BOUNDARY CHANGE.

15 (A) GENERAL RULE.--WITHIN 15 DAYS AFTER A CHANGE IN
16 BOUNDARIES HAS TAKEN EFFECT, THE GOVERNING BODY OF A
17 MUNICIPALITY SHALL FILE A FINAL REPORT OF THE BOUNDARY CHANGE
18 CONTAINING THE FOLLOWING INFORMATION WITH THE COUNTY BOARD OF
19 ELECTIONS, THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT,
20 THE DEPARTMENT OF TRANSPORTATION, THE GOVERNOR'S OFFICE OF
21 POLICY DEVELOPMENT OR ITS SUCCESSOR, THE DEPARTMENT OF EDUCATION
22 AND THE STATE TAX EQUALIZATION BOARD:

23 (1) THE NAME OF THE IMPACTED MUNICIPALITIES.

24 (2) A LAND SURVEY SHOWING THE COURSES AND DISTANCES OF
25 THE BOUNDARY IN THE IMPACTED TERRITORY.

26 (3) THE LOCATION OF THE MONUMENTS ALONG THE NEW BOUNDARY
27 LINE.

28 (4) THE TOTAL ASSESSED VALUATION OF THE IMPACTED
29 TERRITORY.

30 (5) THE APPROXIMATE POPULATION OF THE IMPACTED

1 TERRITORY.

2 (6) THE DESIGNATION, AS PROVIDED FOR IN SECTION 715 (E)
3 (1) (RELATING TO BOUNDARY CHANGE AGREEMENT BY ABUTTING
4 MUNICIPALITIES), BY WHICH THE IMPACTED TERRITORY IS TO BE
5 KNOWN.

6 (7) IN THE CASE OF A BOUNDARY CHANGE BY JUDICIAL
7 ASCERTAINMENT, THE DECREE SHALL BE ATTACHED TO THE REPORT.

8 (B) COMBINED NOTIFICATIONS AUTHORIZED.--ALL MUNICIPALITIES
9 IMPACTED BY A BOUNDARY CHANGE MAY JOINTLY PROVIDE FOR A COMBINED
10 FINAL REPORT UNDER SUBSECTION (A).

11 § 720. MONUMENTS.

12 THE IMPACTED MUNICIPALITIES SHALL PROVIDE FOR THE PLACEMENT
13 OF MONUMENTS, NO MORE THAN 1,500 FEET APART, ALONG THE NEWLY
14 ESTABLISHED BOUNDARY LINE, OTHER THAN WHERE A NATURAL LINE CAN
15 BE DESCRIBED, IN A MANNER ADEQUATE THAT THE ENTIRE TERRITORY IN
16 QUESTION CAN BE DEPICTED AND REPRESENTED FOR THE FUTURE. THE
17 COORDINATES OF MONUMENTS SHALL BE EXPRESSED IN TERMS OF THE
18 STATE PLANE COORDINATE SYSTEM IN EFFECT ON THE DATE OF THE
19 CHANGE OF BOUNDARY.

20 § 721. WARDS.

21 (A) INCREASED MUNICIPAL TERRITORY.--IF A MUNICIPAL
22 CORPORATION GAINING TERRITORY IS DIVIDED AMONG WARDS, THE
23 GOVERNING BODY SHALL, WITHIN 30 DAYS AFTER THE CHANGE IN
24 BOUNDARIES IS EFFECTIVE, PROVIDE FOR THE DISTRIBUTION OF THE
25 GAINED TERRITORY AMONG THE WARDS OF THE MUNICIPAL CORPORATION OR
26 FOR THE CREATION OF ONE OR MORE WARDS OUT OF THE GAINED
27 TERRITORY.

28 (B) DECREASED MUNICIPAL TERRITORY.--IF THE MUNICIPAL
29 CORPORATION DECREASING TERRITORY IS DIVIDED AMONG WARDS, THE
30 GOVERNING BODY OF THE MUNICIPAL CORPORATION, SHALL WITHIN 30

1 DAYS AFTER THE CHANGE IN BOUNDARIES IS EFFECTIVE, PROVIDE FOR
2 THE ALTERATION OF WARDS AMONG THE REMAINING TERRITORY.

3 § 722. COLLECTION OF TAXES LEVIED PRIOR TO CHANGE OF BOUNDARY
4 AND AUTHORIZED EXPENDITURES.

5 (A) TAXES.--ALL TAXES ASSESSED AND LEVIED AGAINST PROPERTY
6 IN AN IMPACTED TERRITORY PRIOR TO THE EFFECTIVE DATE OF THE
7 BOUNDARY CHANGE SHALL BE PAID TO THE MUNICIPALITY WHICH LEVIED
8 THE TAX, AND THE COLLECTION AND ENFORCEMENT OF TAXES UNDER THIS
9 SUBSECTION SHALL BE AS THOUGH THE CHANGE OF BOUNDARY HAD NOT
10 TAKEN PLACE.

11 (B) EXPENDITURES.--A MUNICIPALITY INITIATING A BOUNDARY
12 CHANGE BY ORDINANCE UNDER THIS SUBCHAPTER IS AUTHORIZED TO MAKE
13 REASONABLE EXPENDITURES FOR SURVEYS REQUIRED TO DESCRIBE THE
14 PROPERTY UNDER CONSIDERATION, OR FOR ANY OTHER NECESSARY
15 PURPOSE.

16 § 723. ELECTION DISTRICTS AND OFFICERS.

17 ALL ELECTION DISTRICTS IN THE IMPACTED TERRITORY SHALL REMAIN
18 AS CONSTITUTED PRIOR TO THE BOUNDARY CHANGE AND SHALL BECOME
19 ELECTION DISTRICTS OF THE MUNICIPALITY GAINING TERRITORY ON THE
20 CHANGE IN DESIGNATION IN ACCORDANCE WITH THE ACT OF JUNE 3, 1937
21 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION CODE. ALL
22 ELECTION DISTRICT OFFICERS SHALL CONTINUE IN OFFICE UNTIL THE
23 EXPIRATION OF THE OFFICER'S TERM, UNLESS THE OFFICE IS VACATED.

24 § 724. GOVERNING BODY AGREEMENTS.

25 (A) GENERAL RULE.--PRIOR TO THE EFFECTIVE DATE OF A BOUNDARY
26 CHANGE, AN IMPACTED MUNICIPALITY MAY EXECUTE AN AGREEMENT FULLY
27 RESOLVING:

28 (1) TRANSFERS OF ANY FUNDS AND INDEBTEDNESS RELATED TO
29 PROPERTY WITHIN THE IMPACTED TERRITORY.

30 (2) THE SHARING OF COSTS ASSOCIATED WITH THE TERRITORIAL

1 ALTERATION OR CLARIFICATION.

2 (3) THE SHARING OR DIVISION OF ANY TAX OR FEE REVENUES
3 ASSOCIATED WITH PROPERTY WITHIN THE IMPACTED TERRITORY IN THE
4 YEAR THAT A TERRITORIAL ALTERATION OCCURS.

5 (4) A RESOLUTION OF ANY MATTERS, RIGHTS OR OTHER ISSUES
6 INCIDENT TO THE TRANSFER OF TERRITORY.

7 (B) EXCEPTION.--IN THE EVENT THAT AN AGREEMENT UNDER THIS
8 SECTION IS INCORPORATED IN AN ORDINANCE, SECTIONS 725 (RELATING
9 TO ADJUSTMENT OF INDEBTEDNESS), 726 (RELATING TO JUDICIAL
10 ADJUSTMENT AWARD PROCEEDINGS), 727 (RELATING TO COMPENSATION,
11 EXPENSES AND COSTS), 728 (RELATING TO TERRITORY LOCATED IN
12 MULTIPLE COUNTIES) AND 729 (RELATING TO BOND ISSUES) SHALL NOT
13 APPLY.

14 § 725. ADJUSTMENT OF INDEBTEDNESS.

15 (A) PROPERTY.--THE FOLLOWING SHALL APPLY:

16 (1) FOLLOWING A BOUNDARY CHANGE UNDER THIS SUBCHAPTER OR
17 ANY OTHER PROVISION OF LAW, THE GOVERNING BODIES OF THE
18 IMPACTED MUNICIPALITIES SHALL MAKE AN EQUITABLE ADJUSTMENT
19 AND APPORTIONMENT OF ALL THE PUBLIC REAL AND PERSONAL
20 PROPERTY IMPACTED BY THE CHANGE OF BOUNDARY.

21 (2) EXCEPT AS PROVIDED UNDER PARAGRAPH (3), THE PROPERTY
22 UNDER PARAGRAPH (1) SHALL INCLUDE FUNDS AND INDEBTEDNESS.

23 (3) IF ADJUSTING PROPERTY AND INDEBTEDNESS UNDER
24 PARAGRAPH (1), STREETS, SEWERS AND UTILITIES MAY NOT BE
25 CONSIDERED EXCEPT TO THE EXTENT THAT CURRENT AND UNPAID
26 INDEBTEDNESS WAS INCURRED FOR THE CONSTRUCTION AND
27 IMPROVEMENT OF THE PROPERTY.

28 (B) PROPORTION.--IN MAKING THE ADJUSTMENT AND APPORTIONMENT
29 UNDER SUBSECTION (A), THE FOLLOWING SHALL APPLY:

30 (1) THE MUNICIPALITY GAINING TERRITORY SHALL BE ENTITLED

1 TO A DIVISION OF THE PROPERTY AND INDEBTEDNESS IN THE SAME
2 PROPORTION THAT THE ASSESSED VALUATION OF THE TAXABLE REAL
3 ESTATE INCLUDED WITHIN THE TERRITORIAL LIMITS OF THE NEWLY
4 GAINED TERRITORY BEARS TO THE ASSESSED VALUATION OF THE
5 TAXABLE REAL ESTATE IN THE MUNICIPALITY LOSING TERRITORY
6 IMMEDIATELY PRIOR TO THE BOUNDARY CHANGE. THE MUNICIPALITY
7 LOSING TERRITORY SHALL BE ENTITLED TO THE REMAINDER OF THE
8 PROPERTY AND INDEBTEDNESS.

9 (2) IF INDEBTEDNESS WAS INCURRED BY THE MUNICIPALITY
10 LOSING TERRITORY FOR AN IMPROVEMENT LOCATED WHOLLY WITHIN THE
11 TERRITORIAL LIMITS OF THE NEWLY TRANSFERRED TERRITORY, THE
12 INDEBTEDNESS SHALL BE ASSUMED BY THE MUNICIPALITY GAINING
13 TERRITORY.

14 (3) IF ONLY PART OF THE IMPROVEMENT IS LOCATED WITHIN
15 THE NEWLY TRANSFERRED TERRITORY, THE PART OF THE INDEBTEDNESS
16 REPRESENTING THE PART OF THE IMPROVEMENT LOCATED WITHIN
17 TRANSFERRED TERRITORY SHALL BE ASSUMED BY THE MUNICIPALITY
18 GAINING TERRITORY AND THE ADJUSTMENT AND APPORTIONMENT OF ANY
19 REMAINING DEBT SHALL BE RETAINED BY THE MUNICIPALITY LOSING
20 TERRITORY.

21 (C) FORM.--THE ADJUSTMENT AND APPORTIONMENT MADE UNDER THIS
22 SECTION MUST MEET ALL OF THE FOLLOWING:

23 (1) BE IN WRITING AND DULY EXECUTED AND ACKNOWLEDGED BY
24 THE SECRETARY OR CLERK OF EACH IMPACTED MUNICIPAL
25 CORPORATION, OR THE CHIEF CLERK OF THE COUNTY, AS THE CASE
26 MAY BE.

27 (2) BE FILED IN THE OFFICE OF THE CLERK OF THE COURT OF
28 COMMON PLEAS OF THE COUNTY.

29 (3) BE FILED AS A COPY WITH THE DEPARTMENT OF COMMUNITY
30 AND ECONOMIC DEVELOPMENT.

1 (D) PETITION FOR JUDICIAL ADJUSTMENT.--IF THE GOVERNING
2 BODIES OF THE IMPACTED MUNICIPALITIES CANNOT MAKE AN AMICABLE
3 ADJUSTMENT AND APPORTIONMENT OF THE PROPERTY AND INDEBTEDNESS
4 WITHIN SIX MONTHS AFTER THE EFFECTIVE DATE OF THE CHANGE IN
5 BOUNDARIES, THE GOVERNING BODY OF A MUNICIPALITY MAY PRESENT A
6 PETITION TO THE COURT OF COMMON PLEAS, OR THE COMMONWEALTH COURT
7 UNDER SECTION 728 (RELATING TO TERRITORY LOCATED IN MULTIPLE
8 COUNTIES), REQUESTING A JUDICIAL ADJUSTMENT.

9 (E) APPOINTMENT.--AFTER RECEIVING A PETITION UNDER
10 SUBSECTION (D), THE COURT SHALL APPOINT THREE DISINTERESTED
11 COMMISSIONERS. IF THE IMPACTED TERRITORY IS LOCATED IN TWO OR
12 MORE COUNTIES, SECTION 728 SHALL APPLY. IF ALL OF THE IMPACTED
13 TERRITORY IS LOCATED IN ONE COUNTY, THE COMMISSIONERS SHALL MEET
14 ALL OF THE FOLLOWING REQUIREMENTS:

15 (1) ARE RESIDENTS AND TAXPAYERS OF THE COUNTY.

16 (2) ARE NOT RESIDENTS OF OR OWN REAL ESTATE IN AN
17 IMPACTED MUNICIPAL CORPORATION.

18 (F) REPORT.--THE INDIVIDUALS APPOINTED UNDER SUBSECTION (E)
19 SHALL HOLD A HEARING AND MAKE A REPORT TO THE COURT CONTAINING
20 AN ADJUSTMENT AND APPORTIONMENT OF ALL THE PROPERTY AND THE
21 INDEBTEDNESS BETWEEN THE IMPACTED MUNICIPALITIES. NOTICE SHALL
22 BE MADE AS PROVIDED BY THE COURT. THE REPORT SHALL STATE THE
23 AMOUNT DUE TO, PAYABLE FROM AND THE AMOUNT OF INDEBTEDNESS THAT
24 SHALL BE ASSUMED BY EACH IMPACTED MUNICIPALITY.

25 § 726. JUDICIAL ADJUSTMENT AWARD PROCEEDINGS.

26 (A) NOTICE.--THE COMMISSIONERS APPOINTED UNDER SECTION
27 725(E) (RELATING TO ADJUSTMENT OF INDEBTEDNESS) SHALL GIVE THE
28 IMPACTED MUNICIPALITIES AT LEAST FIVE DAYS' NOTICE OF THE FILING
29 OF THE REPORT UNDER SECTION 725(F).

30 (B) EXCEPTIONS.--IF EXCEPTIONS ARE FILED TO THE REPORT MADE

1 UNDER SECTION 725(F), THE COURT SHALL DISPOSE OF THE EXCEPTIONS
2 AND SHALL ENTER ITS DECREE CONFIRMING OR MODIFYING THE AWARD.

3 (C) CONFIRMATION.--UNLESS EXCEPTIONS ARE FILED TO THE REPORT
4 WITHIN 30 DAYS AFTER THE DATE OF THE FILING, THE REPORT SHALL BE
5 CONFIRMED BY THE COURT AND THE COURT SHALL ISSUE AN APPROPRIATE
6 ORDER EFFECTUATING THE REPORT.

7 § 727. COMPENSATION, EXPENSES AND COSTS.

8 THE COMMISSIONERS APPOINTED UNDER SECTION 725(E) (RELATING TO
9 ADJUSTMENT OF INDEBTEDNESS) SHALL RECEIVE COMPENSATION AND
10 EXPENSES FOR THEIR SERVICES AS PROVIDED BY THE COURT. THE COSTS
11 OF THE PROCEEDINGS, INCLUDING THE COMPENSATION AND EXPENSES OF
12 THE COMMISSIONERS, SHALL BE APPORTIONED BY THE COURT BETWEEN THE
13 IMPACTED MUNICIPALITIES.

14 § 728. TERRITORY LOCATED IN MULTIPLE COUNTIES.

15 IF THE IMPACTED TERRITORY IS LOCATED IN TWO OR MORE COUNTIES,
16 COMMONWEALTH COURT SHALL HAVE EXCLUSIVE JURISDICTION OVER THE
17 PROCEEDINGS TO ADJUST AND APPORTION THE PROPERTY AND
18 INDEBTEDNESS BETWEEN THE MUNICIPALITIES. NOTWITHSTANDING THE
19 PROVISIONS OF SECTION 725(E) (RELATING TO ADJUSTMENT OF
20 INDEBTEDNESS), THE COURT SHALL APPOINT THREE DISINTERESTED
21 COMMISSIONERS WHO ARE RESIDENTS OF THIS COMMONWEALTH BUT ARE NOT
22 RESIDENTS OF, OR OWNERS OF REAL ESTATE IN, ANY IMPACTED COUNTY.

23 § 729. BOND ISSUES.

24 IN A PROCEEDING TO ADJUST AND APPORTION INDEBTEDNESS, A
25 MUNICIPALITY SHALL HAVE POWER TO ISSUE AND DELIVER INTEREST-
26 BEARING BONDS IN LIQUIDATION OF THE INDEBTEDNESS ASCERTAINED, TO
27 BE ITS PROPORTIONATE SHARE PAYABLE, IF THE BONDS ARE ACCEPTABLE
28 TO THE MUNICIPALITY ENTITLED TO RECEIVE THE BONDS. THE COURT MAY
29 MAKE NECESSARY ORDERS FOR THE COLLECTION AND PAYMENT.

30 SECTION 2. SECTION 8802 OF TITLE 53 IS AMENDED BY ADDING

1 DEFINITIONS TO READ:

2 § 8802. Definitions.

3 The following words and phrases when used in this chapter
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 * * *

7 "Normal regular repairs."

8 The term shall include:

9 (1) The repair or replacement of materials or components
10 of property features for the purpose of maintenance.

11 (2) The replacement of existing property features with
12 new versions reasonably similar in function, quality,
13 material and dimension.

14 "Property features." The term includes roofing, siding,
15 flooring, heating and air conditioning systems and windows.

16 * * *

17 Section ~~2~~ 3. Sections 8817(a) and 8861 of Title 53 are <--
18 amended to read:

19 § 8817. Changes in assessed valuation.

20 (a) General rule.--In addition to other authorization
21 provided in this chapter, the assessors may change the assessed
22 valuation on real property when a parcel of land is subdivided
23 into smaller parcels or when improvements are made to real
24 property or existing improvements are removed from real property
25 or are destroyed. The recording of a subdivision plan shall not
26 constitute grounds for assessment increases until lots are sold
27 or improvements are installed. The painting of a building or the
28 normal regular repairs to a building [aggregating \$2,500 or less
29 in value annually] shall not be deemed cause for a change in
30 valuation by the assessors under the authority of this section.

1 * * *

2 § 8861. [Abstracts of building and demolition permits to be
3 forwarded] Submission of permit and substantial
4 improvement information to the county assessment
5 office and civil penalty.

6 (a) Permit.--Every municipality, third-party agency or the
7 Department of Labor and Industry responsible for the issuance of
8 building permits or demolition permits shall forward a copy of
9 each [building] permit to the county assessment office on or
10 before the first day of every month. In addition to any charge
11 otherwise permitted by law, a municipality, a third-party agency
12 or the Department of Labor and Industry may charge an additional
13 fee of \$10 to each person to whom a permit is issued for
14 administrative costs incurred in compliance with this section.
15 The assessment office may provide for the electronic submission
16 of a permit through electronic mail or any other means of
17 electronic transmission or uploading of the permit in its
18 existing form. The provision of permits or permit information to
19 the assessment office as required by this section shall not be
20 subject to the procedures of the act of February 14, 2008
21 (P.L.6, No.3), known as the Right-to-Know Law. No agency, public
22 official or public employee shall be liable for civil or
23 criminal damages or penalties for complying with this section.

24 (a.1) Noncompliance.--

25 (1) If the county assessment office has reason to
26 believe that there is noncompliance with subsection (a), the
27 assessment office shall provide written notice to the
28 municipality and, if applicable, a third-party agency, or to
29 the Department of Labor and Industry in the case of
30 noncompliance by the Department of Labor and Industry. Upon

1 receipt of the notice, the municipality, third-party agency
2 or Department of Labor and Industry shall investigate and
3 consult with the assessment office and take any steps the
4 municipality, third-party agency or Department of Labor and
5 Industry deems necessary to remediate the noncompliance.

6 (2) If, after consultation, noncompliance with
7 subsection (a) continues, the assessment office may, in the
8 case of continuing noncompliance after notice by a
9 municipality or third-party agency, institute an action in
10 mandamus before the court of common pleas to compel
11 compliance with subsection (a). Should the court determine
12 that the noncompliance is intentional, the court shall award
13 any costs, disbursements, reasonable attorney fees and
14 witness fees relating to the action to the assessment office.

15 (b) Substantial improvement.--If a person makes improvements
16 to any real property, other than painting of or normal regular
17 repairs to a building, aggregating more than [\$2,500] \$4,000 in
18 value and a building permit is not required for the
19 improvements, the property owner shall furnish the following
20 information to the board:

21 (1) the name and address of the person owning the
22 property;

23 (2) a description of the improvements made or to be made
24 to the property; and

25 (3) the dollar value of the improvements.

26 (b.1) County improvement certification form.--The county
27 commissioners may, by ordinance, require that all persons making
28 substantial improvements to property as set forth in subsection
29 (b) submit to the county assessment office a county improvement
30 certification form setting forth the information in subsection

1 (b) prior to beginning any substantial improvement, regardless
2 of whether a building permit is required. The county may provide
3 for the electronic submission of the form and a fee no greater
4 than \$5. The county may cooperate with a municipality, third-
5 party agency or the Department of Labor and Industry in the
6 distribution of forms.

7 (c) [Penalty.--Any person that intentionally fails to comply
8 with the provisions of subsection (b) or intentionally falsifies
9 the information provided, shall, upon conviction in a summary
10 proceeding, be sentenced to pay a fine of not more than \$50.]

11 Civil penalty.--

12 (1) The board may assess a civil penalty of not more
13 than \$100 upon a person for intentionally failing to comply
14 with the provisions of subsection (b) or an ordinance enacted
15 in accordance with subsection (b.1) or intentionally
16 falsifying the information required.

17 (2) If a civil penalty is assessed against a person
18 under paragraph (1), the board must notify the person by
19 certified mail of the nature of the violation and the amount
20 of the civil penalty and that the person may notify the board
21 in writing within 10 calendar days that the person wishes to
22 contest the civil penalty. If, within 10 calendar days from
23 the receipt of that notification, the person does not notify
24 the county board of assessment of the person's intent to
25 contest the assessed penalty, the civil penalty shall become
26 final.

27 (3) If timely notification of the intent to contest the
28 civil penalty is given, the person contesting the civil
29 penalty shall be provided with a hearing in accordance with 2
30 Pa.C.S. Chs. 5 Subch. B (relating to practice and procedure

1 of local agencies) and 7 Subch. B (relating to judicial
2 review of local agency action).

3 (d) Existing provisions preserved.--Nothing in this section
4 shall supersede or preempt any ordinance, resolution or other
5 requirement of a county to submit information on substantial
6 improvements in effect on the effective date of this subsection.

7 (e) Substantial improvement value.--Beginning January 1 of
8 the year immediately following the effective date of this
9 subsection and each January 1 thereafter, the amount set forth
10 in subsection (b) shall be increased by the percentage change in
11 the Consumer Price Index for All Urban Consumers (CPI-U) for the
12 Pennsylvania, New Jersey, Delaware and Maryland area, for the
13 most recent 12-month period that figures have been officially
14 reported by the United States Department of Labor, Bureau of
15 Labor Statistics immediately prior to the date the adjustment is
16 due to take effect. The chief assessor shall maintain an
17 accurate record of the adjusted amount applicable for each year.

18 SECTION 4. REPEALS ARE AS FOLLOWS: <--

19 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEALS UNDER
20 PARAGRAPH (2) ARE NECESSARY TO EFFECTUATE THE ADDITION OF 53
21 PA.C.S. CH. 7 SUBCH. B.

22 (2) THE FOLLOWING ACTS AND PARTS OF ACTS ARE REPEALED:

23 (I) THE ACT OF APRIL 28, 1903 (P.L.332, NO.260),
24 ENTITLED "AN ACT FOR THE ANNEXATION OF ANY CITY, BOROUGH,
25 TOWNSHIP, OR PART OF A TOWNSHIP, TO A CONTIGUOUS CITY,
26 AND PROVIDING FOR THE INDEBTEDNESS OF THE SAME."

27 (II) THE ACT OF MAY 31, 1923 (P.L.473, NO.258),
28 ENTITLED "AN ACT AUTHORIZING THE ANNEXATION TO CITIES OF
29 THE SECOND CLASS OF PORTIONS OF TOWNSHIPS NOT EXCEEDING
30 ONE HUNDRED ACRES IN AREA AND TOTALLY SURROUNDED BY SAID

1 CITIES; AND PROVIDING FOR THE DIVISION OF THE ASSETS AND
2 LIABILITIES OF SAID TOWNSHIPS."

3 (III) THE ACT OF MAY 12, 1925 (P.L.596, NO.320),
4 ENTITLED "AN ACT PROVIDING FOR THE ALTERATION OF THE
5 BOUNDARIES OF COUNTIES IN CERTAIN CASES FOR THE
6 ADJUSTMENT OF THE INDEBTEDNESS THEREOF; PROVIDING THE
7 EFFECT THEREOF."

8 (IV) SECTIONS 301, 302, 303, 304, 305, 306 AND 307
9 OF THE ACT OF JUNE 24, 1931 (P.L.1206, NO.331), KNOWN AS
10 THE FIRST CLASS TOWNSHIP CODE.

11 (V) SECTIONS 301, 302, 303, 304, 305, 306 AND 307 OF
12 THE ACT OF MAY 1, 1933 (P.L.103, NO.69), KNOWN AS THE
13 SECOND CLASS TOWNSHIP CODE.

14 (VI) THE ACT OF JUNE 15, 1939 (P.L.372, NO.217),
15 ENTITLED "AN ACT AFFECTING CITIES OF THE SECOND CLASS A,
16 AUTHORIZING THE ANNEXATION OF BOROUGHES AND TOWNSHIPS
17 THERETO UNDER CERTAIN CONDITIONS, AND, IN CONNECTION
18 THEREWITH, PLACING DUTIES UPON OR AFFECTING COURTS OF
19 QUARTER SESSIONS, COUNTY BOARDS OF ELECTIONS, AND
20 OFFICERS OF BOROUGHES, TOWNSHIPS AND CITIES OF THE SECOND
21 CLASS A, AND PROVIDING FOR THE PAYMENT OF THE
22 INDEBTEDNESS OF THE VARIOUS TERRITORIAL UNITS INVOLVED."

23 (VII) THE ACT OF JULY 20, 1953 (P.L.550, NO.145),
24 ENTITLED "AN ACT PROVIDING FOR AND REGULATING THE
25 ANNEXATION OF PARTS OF A SECOND CLASS TOWNSHIP TO
26 BOROUGHES, CITIES AND TOWNSHIPS."

27 (VIII) 8 PA.C.S. §§ 501, 502, 503, 504, 505 AND 506.

28 (IX) 11 PA.C.S. §§ 10601, 10602, 10603, 10604, 10605
29 AND 10606.

30 (3) ALL OTHER ACTS AND PARTS OF ACTS ARE REPEALED

1 INSOFAR AS THEY ARE INCONSISTENT WITH THIS ACT.

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

<--