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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1477 Session of  
2023

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INTRODUCED BY SMITH-WADE-EL, FREEMAN, SAPPEY, JAMES AND MOUL,  
JUNE 21, 2023

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 21, 2023

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AN ACT

1 Amending the act of July 31, 1968 (P.L.805, No.247), entitled  
2 "An act to empower cities of the second class A, and third  
3 class, boroughs, incorporated towns, townships of the first  
4 and second classes including those within a county of the  
5 second class and counties of the second through eighth  
6 classes, individually or jointly, to plan their development  
7 and to govern the same by zoning, subdivision and land  
8 development ordinances, planned residential development and  
9 other ordinances, by official maps, by the reservation of  
10 certain land for future public purpose and by the acquisition  
11 of such land; to promote the conservation of energy through  
12 the use of planning practices and to promote the effective  
13 utilization of renewable energy sources; providing for the  
14 establishment of planning commissions, planning departments,  
15 planning committees and zoning hearing boards, authorizing  
16 them to charge fees, make inspections and hold public  
17 hearings; providing for mediation; providing for transferable  
18 development rights; providing for appropriations, appeals to  
19 courts and penalties for violations; and repealing acts and  
20 parts of acts," in general provisions, providing for certain  
21 transmittals and submissions to governmental bodies.

22 The General Assembly of the Commonwealth of Pennsylvania

23 hereby enacts as follows:

24 Section 1. The act of July 31, 1968 (P.L.805, No.247), known  
25 as the Pennsylvania Municipalities Planning Code, is amended by  
26 adding a section to read:

27 Section 110. Certain Transmittals and Submissions to

1 Governmental Bodies.--If this act requires a municipality,  
2 including a county, to forward, send or submit a proposed  
3 comprehensive plan or amendment or a proposed land use ordinance  
4 or amendment for review, comments or recommendations, or an  
5 adopted comprehensive plan, land use ordinance or amendment, the  
6 proposed or adopted plan, ordinance or amendment may be  
7 transmitted electronically. The transmittal may include an  
8 electronic document or a link to a publicly accessible document  
9 online, provided the electronic document is in PDF format or  
10 similar standard which accurately reproduces the original. In  
11 the event a document is required by this act to be certified,  
12 the certification shall also be transmitted electronically. The  
13 following shall apply:

14 (1) The municipality shall transmit documents to those  
15 electronic contacts available and reasonably appropriate for  
16 receipt of the documents. Failure of a governmental body or an  
17 officer or agent of a governmental body to receive a good faith  
18 transmittal provided in accordance with this paragraph may not  
19 be grounds to challenge the effectiveness of a plan, ordinance  
20 or amendment under this act.

21 (2) The municipality shall retain a written or electronic  
22 record of every transmittal and all comments and recommendations  
23 under paragraph (3).

24 (3) If an authorized transmittal is for comments or  
25 recommendations under this act, the comments and recommendations  
26 may be transmitted to the municipality electronically.

27 Section 2. Nothing in this act shall be deemed to invalidate  
28 any electronic transmittal of plans, ordinances or amendments  
29 made prior to the effective date of this section.

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