

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 149 Session of 2023

INTRODUCED BY BREWSTER, FONTANA, COLLETT, KANE AND COSTA,
JANUARY 19, 2023

REFERRED TO URBAN AFFAIRS AND HOUSING, JANUARY 19, 2023

AN ACT

1 Amending the act of July 7, 1947 (P.L.1368, No.542), entitled
 2 "An act amending, revising and consolidating the laws
 3 relating to delinquent county, city, except of the first and
 4 second class and second class A, borough, town, township,
 5 school district, except of the first class and school
 6 districts within cities of the second class A, and
 7 institution district taxes, providing when, how and upon what
 8 property, and to what extent liens shall be allowed for such
 9 taxes, the return and entering of claims therefor; the
 10 collection and adjudication of such claims, sales of real
 11 property, including seated and unseated lands, subject to the
 12 lien of such tax claims; the disposition of the proceeds
 13 thereof, including State taxes and municipal claims recovered
 14 and the redemption of property; providing for the discharge
 15 and divestiture by certain tax sales of all estates in
 16 property and of mortgages and liens on such property, and the
 17 proceedings therefor; creating a Tax Claim Bureau in each
 18 county, except counties of the first and second class, to act
 19 as agent for taxing districts; defining its powers and
 20 duties, including sales of property, the management of
 21 property taken in sequestration, and the management, sale and
 22 disposition of property heretofore sold to the county
 23 commissioners, taxing districts and trustees at tax sales;
 24 providing a method for the service of process and notices;
 25 imposing duties on taxing districts and their officers and on
 26 tax collectors, and certain expenses on counties and for
 27 their reimbursement by taxing districts; and repealing
 28 existing laws," further providing for the title of the act;
 29 and, in sale of property, providing for county demolition and
 30 rehabilitation fund.

31 The General Assembly of the Commonwealth of Pennsylvania
 32 hereby enacts as follows:

1 Section 1. The title of the act of July 7, 1947 (P.L.1368,
2 No.542), known as the Real Estate Tax Sale Law, is amended to
3 read:

4 AN ACT

5 Amending, revising and consolidating the laws relating to
6 delinquent county, city, except of the first and second class
7 and second class A, borough, town, township, school district,
8 except of the first class and school districts within cities
9 of the second class A, and institution district taxes,
10 providing when, how and upon what property, and to what
11 extent liens shall be allowed for such taxes, the return and
12 entering of claims therefor; the collection and adjudication
13 of such claims, sales of real property, including seated and
14 unseated lands, subject to the lien of such tax claims; the
15 disposition of the proceeds thereof, including State taxes
16 and municipal claims recovered and the redemption of
17 property; providing for the discharge and divestiture by
18 certain tax sales of all estates in property and of mortgages
19 and liens on such property, and the proceedings therefor;
20 creating a Tax Claim Bureau in each county, except counties
21 of the first and second class, to act as agent for taxing
22 districts; defining its powers and duties, including sales of
23 property, the management of property taken in sequestration,
24 and the management, sale and disposition of property
25 heretofore sold to the county commissioners, taxing districts
26 and trustees at tax sales; providing a method for the service
27 of process and notices; imposing duties on taxing districts
28 and their officers and on tax collectors, and certain
29 expenses on counties and for their reimbursement by taxing
30 districts; providing for a county demolition and

1 rehabilitation fund; and repealing existing laws.

2 Section 2. The act is amended by adding a section to read:

3 Section 631. County Demolition and Rehabilitation Fund.--(a)

4 A county of the first, second, second class A, third, fourth,
5 fifth, sixth, seventh or eighth class and home rule charter
6 county of any of these classes that imposes the fee authorized
7 under subsection (b) shall, by ordinance, establish a county
8 demolition and rehabilitation fund.

9 (b) The governing body of a county may, by ordinance, impose
10 a fee not to exceed two hundred fifty dollars (\$250) for the
11 sale of any property being sold in accordance with this act or
12 an action for mortgage foreclosure and shall provide a public
13 notice stating the establishment of the fee and its rate in
14 accordance with this act. In addition to the purchase price, the
15 bureau conducting the sale of the property in accordance with
16 this act or the sheriff in a mortgage foreclosure action shall
17 collect the fee authorized by this section at the time of sale
18 from the buyer as a condition of conveying title to the
19 property. The fee collected shall be deposited into a fund
20 established under subsection (a).

21 (c) An ordinance establishing a fund under subsection (a)
22 shall include all of the following:

23 (1) The method of custody, divestiture, disbursement and
24 application of money deposited into the fund consistent with the
25 laws of this Commonwealth and generally accepted accounting
26 principles.

27 (2) The manner of notifying the bureau, the sheriff and the
28 prothonotary of the sale of a property in accordance with this
29 act or a mortgage foreclosure action that a fund under
30 subsection (a) has been established and that the fee imposed

1 under subsection (b) shall be collected and deposited as
2 provided by this section.

3 (3) The fee imposed under subsection (b) shall apply to the
4 sale of a property for delinquent taxes or mortgage foreclosure
5 conducted in the calendar year beginning not less than ninety
6 (90) days after the effective date of the ordinance.

7 (4) Any other terms and conditions the county deems
8 reasonable and necessary for operation of a fund established
9 under subsection (a).

10 (d) A fund established under subsection (a) may be used
11 only:

12 (1) by the county; and

13 (2) upon approval of the county commissioners or other
14 governing body, by a not-for-profit or for-profit corporation
15 that has a contract with the county or a taxing district,
16 redevelopment authority, land bank or other government entity,
17 for the demolition or rehabilitation of blighted property
18 located in the county.

19 (e) This section shall not apply to a property sold for
20 delinquent real property taxes to a nonprofit entity, land bank
21 or government entity.

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