



### [Act 24 of 2021/HB 1348 P.N. 1932/Fiscal Code](#)

#### **Bill Summary:**

- An amendment to the Fiscal Code to provide budget implementation language.
  - Emergency COVID-19 Response
    - Rental and Utility Assistance Grant Program
      - Updates provisions from Act 1 of 2021, clarifying that counties may not place additional stipulations, restrictions or limitations in addition to federal law, federal guidance or state law
      - Provides for the operational language for the portion of the program funded by the American Rescue Plan (ARP) in accordance with federal law
    - Water Assistance Program
      - Establishes the Water Assistance Program under DHS, which shall manage the program in consultation with DEP and PENNVEST, and in accordance with the requirements under the ARP.
    - Effective date: July 1, 2021

[Act 37 of 2021/HB 827](#) (Representative Keith Gillespie – York County) unanimously passed the House and Senate, and was signed into law (Act 37 of 2021) on June 30<sup>th</sup>. The law becomes effective August 29, 2021.

#### **Bill Summary:**

- Amends Title 27 (Taxation and Fiscal Affairs) establishing a microenterprise loan program to:
  - create community development authorities in order to develop blighted, low-income neighborhoods and jobs.
  - encourages collaboration among existing authorities including municipal authorities and redevelopment authorities to operate a community development authority through intergovernmental cooperation agreements.

[Act 43 of 20201/HB 957](#) (Representative Dan Moul – Adams County) passed the House (200-1) and the Senate unanimously, and was signed into law (Act 43 of 2021) by the governor on June 30<sup>th</sup>. The law becomes effective August 29, 2021.

#### **Bill Summary:**

- Amends the Municipality Authorities Act to enable the owner of a property with multiple units, which is served by a single water meter, to periodically request the authority to adjust the amount billed if it is determined the amount billed exceeds actual usage by 30% or more.
- In order to determine actual usage, the owner would be required to show a minimum of five consecutive years of actual usage data. If the usage data shows that an adjustment is needed, the authority shall adjust the billing and use the adjusted amount going forward. However, in calculating the new amount, the authority may include up to 10% over the actual amount used.
- After the initial adjustment, the property owner may not request another adjustment for five years after the adjustment is complete.

#### **Background**

Representative Moul first introduced a similar version of this bill in 2013 and has re-introduced various versions over the years of which PMAA has opposed. During this time, PMAA met with Representative Moul, other key legislators, and PMAA member authorities to negotiate and develop a workable solution to address his particular situation in his district. One version of the bill passed the House unanimously in 2019 and moved to the Senate but session ended and the bill died.



This legislative session, he re-introduced a similar version of the bill, HB 957. The first version of HB 957, Printer's Number 969, PMAA, once again, opposed. The bill was voted on in the House Local Government Committee in March and passed unanimously. However, before the bill would move to the House floor, the chairs of the House Local Government committee requested that PMAA and Representative Moul work on negotiated language. As before, PMAA was willing to meet, explain and discuss the complexities of the issue surrounding the bill. During the budget process, this bill was one that was set for final passage. Therefore, PMAA submitted amendatory language that was agreed to with the Representative in an attempt to address his specific situation and, at the same time, limit the detriment to authorities this impacts.

[Act 65 of 2021/SB 554](#) (Senator Patrick Stefano – Fayette, Somerset, and Westmoreland counties) unanimously passed the Senate and the House, and was signed into law (Act 65 of 2021) by the governor on June 30<sup>th</sup>. The law becomes effective August 29, 2021.

**Bill Summary:**

- Amends the open meetings law/Sunshine Act (Title 65) providing public notice requirements for agency (authorities and local governments) business to be considered at a public meeting.
- These requirements include posting a public meeting agenda:
  - on the agency's internet website (if the agency has a website) no later than 24 hours prior to a meeting;
  - at the meeting location;
  - at the agency's office location;
  - make copies of the agenda available to those in attendance.
- prohibits an agency from taking official action on items not on the meeting agenda except for:
  - the business relates to an emergency involving a clear and present danger to life or property;
  - the business arises 24 hours before the meeting and the matter is de minimis in nature and does not involve an expenditure of funds or entering into a contract;
  - the business arises during the conduct of the meeting, by a resident or taxpayer.
- Any amended agenda must be at the principal office location or the agency's website (if it has one) no later than the first business day following the meeting in which the agenda was amended.
- If action is taken on a matter of agency business added to the agenda, the minutes of the meeting must reflect the substance of the matter added, the vote on the addition, and the announced reasons for the addition.

**[Act 70 of 2021/HB 336 P.N. 1933/Administrative Code](#)**

**Bill Summary:**

- An amendment to the Administrative Code to provide for the operation and management of the Commonwealth and its agencies.

One section to note is Section 706 which permits the Auditor General to perform an audit of a municipal authority that has proposed an increase in either water or wastewater rates and meets the following criteria:

- Is located in a county of the third class with a population of more than 355,000 but less than 370,000 as determined by the 2010 census,
- Was incorporated under the Municipality Authority Act as a public corporation on April 15, 1942,
- Was organized to provide municipal services, principally consisting of the operation of water collection, treatment and distribution systems and wastewater systems, and
- Which provides services in at least one county outside of the boundaries of the county in which it was incorporated.
- Effective date: July 9, 2021

*(Due to the very narrow criteria in the bill, it applies to only one authority that we are aware.)*



The audit must be a thorough review of all financial and governance information and must examine the effectiveness, economy, and efficiency of the authority, including a review of billing systems, acquisitions of other municipal authorities, contract processes and transparency, management practices, conflicts of interest and compliance with relevant Federal and State statutes by the authority, its board members, and its contractors.

The Auditor General may employ consultants, experts, accountants or investigators to conduct the audit. An audit must be concluded within 6 months after it is initiated and may include recommendations on how to improve procedures and activities to enhance economy, efficiency and effectiveness in any areas covered by the audit.