

Legislative Locator

The Legislative Locator is a Monthly Publication of The Pennsylvania Municipal League



**Legislative
Locator**

February 2021

TAKE ACTION: Local Advertising Relief

Representative Jason Ortity ([HCO 1068](#)) and Senator John DiSanto ([SB 252](#)) have proposed legislation that would allow local governments greater flexibility to reach and inform their constituents by providing a larger menu of outlets to publish advertisements, including electronically or in a printed format. This legislative fix would provide your municipality with greater choice to determine which advertising option would better reach your constituents while saving your municipality money. As a result, more community members can be included in their government's decision making process through increased advertising efficiency and readership.

Senator DiSanto has introduced the Senate version of the bill with five cosponsors: Senators Camera Bartolotta; Kristin Phillips-Hill; Scott Martin; Lindsey Williams; and Gene Yaw. While the bill has been introduced, cosponsors can still be added.

Please take action and contact your State Representative and Senator requesting that they support these proposals and sign on as cosponsors. The more co-sponsors the better! Please feel free to use this [template email](#) to communicate with your members of the General Assembly.

Governor Wolf's 2021/2022 Budget Address

Governor Tom Wolf presented his 2021/2022 budget on February 3, making history as the first ever virtual budget address in the Commonwealth due to the pandemic. The budget proposal would spend \$37.8 billion, an increase of \$3.8 billion, or 11.1 percent, over last year's budget.

The budget prioritizes education and economic recovery from the COVID-19 pandemic. The Governor's proposal requests a total of \$7.6 billion for basic education (pre-k to 12), almost a 22 percent increase. His education platform also includes increasing fairness and equity, requesting a \$45,000 minimum teacher salary, an additional \$36 million for student scholarships by adjusting tax credit programs, \$229 million in savings resulting from charter school reform and \$199 million in needs-based scholarships for PA State System of Higher Education students.

Economic recovery, a key theme of the Governor's address, resulted in a \$3 billion request to fund initiatives meant to stabilize the economy and help those most affected by the pandemic. It also includes a pathway to increase the minimum wage to \$15 by 2027. The Governor, in an effort to create equal tax burdens, proposed an expansion of the special

tax forgiveness to \$15,000 for single filers and \$30,000 for married filers, with a \$10,000 allowance for each dependent, while also increasing the Personal Income Tax rate to 4.49 percent.

Several provisions of the budget could potentially impact local governments. The budget includes a proposed expansion of the Redevelopment Assistance Capital Program (RACP) to allow for the building of broadband and provides \$1 billion through RACP to schools for lead and asbestos remediation. It also includes a request of \$8.4 million for the 10 county and municipal health departments, as well as the creation of an eleventh department in Delaware County. Lastly, the Governor once again proposed a fee assessment on all municipalities for State Police support.

The League encourages our members to visit the [Governor's Budget Webpage](#) for more information on these proposals.

Enacted Legislation

Act 1 of 2021

Senate Bill 109 (PN 144)

Signed: February 5, 2021

Effective: Immediately

[Act 1](#) amends the Fiscal Code regarding COVID relief including:

- Providing that business owners who received Paycheck Protection Program (PPP) loan forgiveness are not subject to PA Personal Income Taxes.
- Providing that federal stimulus payments are not subject to Pennsylvania Personal Income Tax.
- Providing \$145 million in funds for the Hospitality Industry Recovery Fund. The PA Department of Community and Economic Development and counties will administer this grant program with the assistance of local economic development organizations. This program is funded by a loan from the state's Workers' Compensation Security Fund and is to be repaid by July 2029 or by federal stimulus dollars from the federal government.
- Providing emergency education relief through the PA Department of Education for various educational entities aside from public K-12 districts.
- Establishing a new Rental and Utility Assistance Grant Program of \$570 million to be administered at the county level (based on population) through the PA Department of Human Services. The former rent assistance program administered by PHFA with CARES funds is repealed.

Cosponsor Memos

Tax-Exempt Properties

Representative Robert Freeman has announced intention to introduce legislation providing a dedicated state funding source for municipalities that have 15 percent or more of its overall assessed property value as tax-exempt properties within their municipal borders.

Redirecting PA State Police Fine Money

Representative Michael Sturla has announced intention to introduce legislation amending Title 42 (Judiciary and Judicial Procedure) to ensure only municipalities that provide at least 40 hours per week of local police coverage to be eligible for a portion of the State Police fine money when they write a traffic ticket.

Local Use of Radar

Representative Greg Rothman has announced intention to introduce legislation to permit all municipal police officers to utilize radar for speed enforcement.

Legislation of Interest

Legislative Budget and Finance Committee Police Studies

[House Resolution 43 \(PN 363\)](#), introduced by Austin Davis, and [Senate Bill 207 \(PN 176\)](#), introduced by Senator Christine Tartaglione, would direct the Legislative Budget and Finance Committee to conduct two specific police studies.

The House Resolution would direct the committee to conduct a study on the salaries and training of municipal police officers in the Commonwealth. The committee would be responsible for measuring the disparities of salaries between departments, as well as between full and part-time officers, studying discrepancies in police officer training and providing recommendations to address the salary and training discrepancies.

The Senate Bill would direct the committee to conduct a study on the budgetary impact on the PA State Police as a result of providing law enforcement services to municipalities that do not have their own police departments, enforcing the Medical Marijuana Act and enforcing laws that prohibit illegal marijuana and illegal gaming.

Location: House Resolution 43: House Judiciary Committee, February 3, 2021

Location: Senate Bill 207: Senate Law and Justice Committee, February 10, 2021

Local Regulation of Firearms

[House Bill 361 \(PN 333\)](#), introduced by Representative Mary Isaacson, would amend Title 18 (Crimes and Offenses) and Title 53 (Municipalities) providing for the local regulation of firearms.

Title 18 would be amended to allow a municipality, by ordinance, to regulate the possession, transfer or transportation of firearms or ammunition when carried or transported on property owned, maintained or operated by the municipality. Such municipal property would include, but is not limited to, municipal buildings, parks, conveyances or vehicles.

Additionally, this bill would amend Title 53 by repealing language that prohibits a municipality from enacting any ordinance or any other form of regulation regarding the transfer, ownership, transportation or possession of firearms.

Location: House Judiciary Committee, February 3, 2021

Nomination Petitions in Third Class Cities

[Senate Bill 117 \(PN 90\)](#) and [House Bill 367 \(PN 339\)](#), introduced by Senator Scott Hutchinson and Representative Lee James respectively, would add language to the Third Class City Code concerning nomination petitions. This legislation would bring those running for office in third class cities on par with those in boroughs and townships by reducing the number of signatures required under the Election Code from 100 to 10 and reducing the \$25 filing fee to zero.

Location: Senate Bill 117: Senate State Government Committee, January 26, 2021

Location: House Bill 367: House Local Government Committee, February 3, 2021

Clarifying PennDOT's Responsibility for Drainage Facilities on State Highways

[House Bill 489 \(PN 452\)](#), introduced by Representative Karen Boback, would amend the State Highway Law establishing that the Department of Transportation, at the expense of the Commonwealth, shall construct and maintain all surface and subsurface drainage facilities connected with state highways within boroughs and incorporated towns.

Location: House Transportation Committee, February 9, 2021

Medal Programs Honoring First Responders

[Senate Bill 158 \(PN 140\)](#), introduced by Senator Mike Regan, would establish three statewide medal programs to honor first responders: law enforcement officers; firefighters; and EMS providers.

The Municipal Police Officers' Education and Training Commission (MPOETC), State Fire Commissioner and the Director of the Bureau of Emergency Medical Services of the Department of Health would assist the Governor in the administration of their respective medal programs and help develop each program's qualifications. MPOETC, the Commissioner and Director would review their programs' applications and provide the qualified applications to the Governor to issue a final decision.

The Governor, a General Assembly member or an employer may submit a nomination, and the cost of the medal shall be paid by the recipient's employer.

Location: Second Consideration in the Senate, February 5, 2021

Municipal Property Tax Relief in 2021

[Senate Bill 162 \(PN 146\)](#), introduced by Senator Scott Martin, would amend the Local Tax Collection Law providing for property tax relief. For property taxes due by December 31, 2021, a municipal taxing district would have the option to collect the tax at the prescribed discount rate through August 31, 2021, or to waive any fee or penalty otherwise associated with a late payment if payment is made in full by December 31, 2021. Such action would be accomplished with the adoption of a resolution that is then delivered to the tax collector within 30 days of the bill's enactment.

Location: Senate Finance Committee, February 5, 2021

PennDOT's Personal Delivery Devices Policy

Senate Bill 1199, allowing for the use of Personal Delivery Devices (PDDs), was signed into law as [Act 106 of 2020](#) on November 1, 2020 and went into effect on January 30, 2021.

PennDOT was responsible for creating the policies regulating the use of PDDs within the Commonwealth's communities. PennDOT solicited comments from local government stakeholders including the League and PSATC. As the Commonwealth gains more experience with PDD's, PennDOT has stated it will revisit the policy for necessary adjustments. Please visit [PennDOT's Personal Delivery Devices webpage](#) to learn more about PDDs and to read the Operations Policies.



2021 CAPITOL WEB CONFERENCE

May 3-4, 2021

Stay tuned for program details!

www.pml.org



NATIONAL LEAGUE OF CITIES UPDATE

The American Rescue Plan

In January President Biden introduced a \$1.9 trillion COVID relief package, the American Rescue Plan. In early February, Congress moved forward with the President's COVID package by introducing a budget resolution through the reconciliation process. Funding for local governments was included in the budget resolution's directives.

On February 12, the House Committee on Oversight and Reform passed legislation, including \$350 billion for state, local and tribal governments, out of committee. A total of \$65.1 billion will go directly to local governments, with about \$45 billion going to CDBG eligible entities and about \$19 billion going to non-CDBG eligible entities. The House Committee on the Budget held a mark up of the bill on February 22 and sent it to the floor of the full House for a vote on final passage. Please visit our [Federal Advocacy: COVID Pandemic Direct Funding webpage](#) for the latest updates and resources.

While direct funding for local governments is included in this legislation, it still has a long way to go in the legislative process, meaning the bill is susceptible to amendments. It is more important now than ever to reach out to the PA Congressional Delegation to ensure direct and flexible funding for local government remains a part of the American Rescue Plan.

TAKE ACTION NOW



Your Advocacy is More
Important than Ever

JOIN HUNDREDS OF LOCAL
LEADERS TO SHARE IDEAS
AND BUILD POLICY SOLUTIONS
FOR THE FUTURE OF AMERICA'S
CITIES, TOWNS AND VILLAGES.

REGISTER TODAY at ccc.nlc.org

HOUSE AND SENATE SESSION DAYS 2021

House:

March 15-17, 22-24

April 5-7, 19-21, 26-28

May 3-5, 24-26

Senate:

March 15-17, 23-24

April 19-21, 26-28

May 10-12, 24-26

**reminder - session dates are subject to change*



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Pennsylvania Municipal League

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