

Legislative Locator

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



September 2023

2023 Local Government Symposium October 19, 9:00 A.M to 4:00 P.M. Virtual or In Person Event

The Local Government Commission is hosting its third annual symposium to discuss local government in an evolving landscape.

This is a virtual or in person event. For those attending in person, the symposium will be held in Room 8E-B in the Capitol Building in Harrisburg, and it will be followed by a networking reception.

Please view the agenda [here](#).



[Register Now](#)

Property Maintenance Enforcement Survey

Please see the note and survey link below from the Local Government Commission. We ask that one person familiar with your code enforcement processes complete the survey. Thank you in advance for your participation. The Commission's results will assist The League and PSATC in future advocacy efforts around blight.

Dear Municipal Officials:

The Local Government Commission, by request of Senator David Argall, is undertaking a study of municipal property maintenance code enforcement within the Commonwealth. Senator Argall is the chair of the bipartisan, bicameral Statewide Blight Reform Task Force. There is growing concern, both within and outside of the Commonwealth, over the impact of blight on our communities, and code enforcement is a key tool in mitigating and preventing blight. Because Pennsylvania does not have a statewide property maintenance code or any related training program for code officers, the task force is very interested in learning how municipalities navigate maintenance code enforcement.

To accomplish this objective, we need your expertise. We greatly value your taking 15 to 20 minutes out of your busy schedule to complete the survey via the form hyperlinked below. Your participation will help us to identify not only trends in code enforcement across the Commonwealth, but also gather invaluable recommendations and suggestions on how to better address code enforcement and blight mitigation. If you have any questions, please contact Julia Fry at the Local Government Commission at jfry@palegislature.us.

Cosponsor Memos Affecting Local Governments

Combating Homelessness Across Municipalities

Representative Napoleon Nelson has announced his intention to introduce legislation requiring each municipality to develop a housing obligation plan describing how the municipality can ensure local housing opportunities are available to their residents should they become homeless.

Open Space Law

Representative Donna Scheuren has announced her intention to introduce legislation restricting a municipality's ability to convert land designated as open space unless they receive approval from their residents through a referendum.

Separations Act

Senator Cris Dush has announced his intention to introduce legislation allowing state and local government entities the ability to use project delivery methods outside of the Separations Act.

Legislation Affecting Local Government

Playground Safety Act

House Children and Youth Committee, June 20, 2023

[House Bill 1443 \(PN 1627\)](#), introduced by Representative Gwendolyn Green, would require the Department of Community and Economic Development, within one year of this bill's enactment, to promulgate regulations regarding the design, installation and maintenance of playgrounds operated by a responsible entity, which would include the state, municipalities, schools and childcare centers. Playground regulations must follow or be more protective than the Handbook for Public Playground Safety produced by the U.S. Consumer Product Safety Commission.

Municipalities must be in compliance within 6 months of DCED publishing their regulations by:

- Conducting a safety audit and hazard analysis of all municipal playgrounds;
- Remediating any major hazard by repairing, upgrading or removing playground equipment; and
- Developing a playground safety plan to establish a timeline to remove minor hazards, establish regular playground inspections and determine preventative maintenance of playground equipment.

DCED would be able to inspect a playground for compliance with safety standards and close the playground until it is in compliance.

The bill would also create the Statewide Advisory Council on Playgrounds Safety, which would be responsible for reviewing and commenting on state agency policy and action or any legislative proposals from the General Assembly pertaining to playground safety.

Firefighter Cancer Screenings

House Veterans Affairs and Emergency Preparedness, June 22, 2023

[House Bill 1492 \(PN 1698\)](#), introduced by Representative Robert Merski, would require regular cancer screening for firefighters. The first screening would occur within three years of the firefighter's enrollment in the employer sponsored health insurance and every three years following the initial screening. The screenings would be conducted by a licensed medical professional to check for several types of cancer, and these screenings would be covered by the firefighter's health insurance. Under the bill, only full-time paid firefighters would be eligible to receive insurance covered cancer screenings.

Post-Traumatic Stress Injury in First Responders

House Veterans Affairs and Emergency Preparedness Committee, August 29, 2023

[House Bill 1632 \(PN 1916\)](#), introduced by Representative Jennifer O'Mara, would amend the Workers' Compensation Law easing first responders' access to receive a post-traumatic stress injury (PTSI) benefit if it is established that the injury resulted from a working condition and that it was sustained in the course and scope of the individual's employment.

Under this bill, injuries must be based on the assessment and diagnosis by a licensed medical or mental health professional. Claims must be filed within three years of the date of diagnosis. Injuries diagnosed after the last date of employment shall not prohibit a claim against the employer at the time of first responder's direct exposure. Finally, a PTSI caused by an employment action is not compensable.

First responders would be defined as an EMS provider, professional or volunteer firefighter, a State Police Officer or a peace officer.

This bill is a companion to Senate Bill 365, introduced by Senator Camera Bartolotta.

Right to Know Commercial Requests

First Consideration in the Senate, September 19, 2023

[Senate Bill 210 \(PN 84\)](#), introduced by Senator Michele Brooks, would amend the Right to Know Law requiring a requestor to certify in writing whether the request is for a commercial purpose. A municipality or other agency that responds to a commercial request may charge the requester additional fees for search, retrieval, review, redaction and duplication of records. The additional fees would be calculated based on the hourly wage of the lowest paid employee of the municipality or agency that is capable of obtaining the requested information. Prior to fulfilling the request, the municipality or agency shall provide the requester with the estimated cost to grant the request. A municipality or agency may enter into a contract, memorandum of understanding or other agreement providing for an alternative fee arrangement.

The bill would provide exceptions for attorneys and insurance agents requesting records for a client or for insurance purposes, respectively, as long as the obtained records were not used for commercial purposes.

Regulating Skill Games

Senate Community, Economic and Recreational Development Committee, May 26, 2023

[Senate Bill 706 \(PN 785\)](#), introduced by Senator Yaw, would regulate the distribution, sale, transportation, storage and use of skill games in the Commonwealth. The outcome of a skill game is based on the skill of the player rather than an element of chance. The Department of Revenue would be the regulatory authority over skill games through a licensing program for distributors, operators and establishments of skill games. Skill games would be required to be certified before use and distributors would need to provide the Department with a monthly report tracking revenue and game locations among other information.

A 16 percent tax on all gross profits generated by skill games would be paid to the state from the distributor: 50 percent would be deposited into the General Fund; 22 percent would be distributed to individual municipalities based on the gross profits derived from skill games within a municipality; 22 percent would be distributed to individual counties based on the gross profits

derived from skill games within a county; and six percent would be distributed to the Bureau of Liquor Control Enforcement.

Property Tax Exemption for Disabled Veterans

Senate Finance Committee, July 6, 2023

Senate Bill 844 (PN 1013), introduced by Senator Tracy Pennycuik, would provide disabled veterans with a property tax exemption based on the severity of disability. The property tax exemption scale includes:

- a \$7,500 reduction in assessed value for a veteran with a disability rating of at least 10 but less than 30 percent;
- a \$10,000 reduction in assessed value for a veteran with a disability rating of at least 30 but less than 50 percent;
- a \$12,500 reduction in assessed value for a veteran with a disability rating of at least 50 but less than 70 percent; and
- a \$15,000 reduction in assessed value for a veteran with a disability rating of at least 70 percent.

In order to be eligible, a veteran must have been honorably discharged and have a service connected disability as declared by the U.S. Department of Veterans. The property tax exemption would only be applicable to the veteran's primary residence.

Local Notification of Fireworks Permit

Senate Agriculture and Rural Affairs Committee, August 1, 2023

Senate Bill 872 (PN 1034), introduced by Senator Rosemary Brown, would require a municipality that issues a permit for consumer or display fireworks to provide at least 24 hours public notification prior to the permitted event. The notice, including the date, time and location of the event, would be posted on the municipality's website, or if the municipality does not have a website, at the entrance of the municipality's office.

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Municipal Leadership Summit
BETHLEHEM  OCTOBER 5-8, 2023



Register now at **PML.org**

#MunicipalLeadershipSummit23



Why Is It So Hard To Fill Public Safety Workforce Jobs?

The number of available jobs in municipal government is growing and yet local governments continue to have difficulty filling these positions. Some municipalities struggle to retain municipal public safety employees and others struggle to secure qualified applicants to fill empty positions. Retention is a unique problem in the law enforcement field for multiple reasons such as early retirements and workload strain. While there is relatively strong understanding of the reasons why public servants are leaving the workforce, there is limited evidence on why these positions are hard to fill.

[Read More](#)

HOUSE AND SENATE SESSION DAYS 2023

House:

October 2-4, 16-18, 30-31
November 1, 13-15

Senate:

October 2-4, 16-18, 23-25
November 13-15
December 11-13

**reminder - session dates are subject to change*



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