

Legislative Locator

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



April 2020

Update on COVID-19 Related Legislation

During these unprecedented times, we are committed to continuing to work for you, our members, and ensure you are able to govern efficiently and effectively during the COVID-19 crisis. The League's Governmental Affairs staff are diligently tracking COVID-19 related legislation that affects local government at both the state and federal level.

Our website hosts summaries of the federal bills passed by Congress in addition to charts tracking state legislation pertinent to the crisis. These state charts are updated as bills move through the legislative process, and since the Governor declared the disaster emergency, there have been numerous bills introduced to address the crisis.

Most notably, Governor Wolf signed Act 15 (Senate Bill 841) into law on April 20. This act allows local governments to meet remotely via telecommunication device during the emergency declaration. The act also addresses approval requests during the emergency declaration by suspending statutory time limits for 30 days to allow remote meeting procedures to be developed. Lastly, the act provides property tax relief options.

To view the state legislation charts and federal summaries, [please visit our website](#).

COSPONSOR MEMOS

COVID-19 Occupational Disease Presumption Legislation

Representative Frank Farry has announced intention to introduce two bills providing a COVID-19 presumption. The first bill would list COVID-19 as an occupational disease of occupational exposure to the virus for paid and volunteer emergency responders, police, corrections workers and others who deal with inmates. The second bill would also list COVID-19 as an occupational disease of occupational exposure to the virus for employees of healthcare providers who provide in-person care to patients.

Socio-Economic Demographic Data Related to COVID-19

Representative Jake Wheatley has announced intention to introduce legislation to require the Department of Health, Department of Human Services and other sub-agencies to work closely

with localities and private labs to collect better data to address health disparities in low-income communities.

Provisional Hiring Parity

Representative Brett Miller has announced intention to introduce legislation to amend the Child Protective Services Law to place an employer's ability to hire an employee on a provisional basis on par with the 45-day provisional hiring window that is currently authorized for child-care providers.

ENACTED LEGISLATION

Act 9 of 2020

House Bill 68

Signed: March 27, 2020

Effective: March 27, 2020

Eliminates the one-week waiting period for unemployment compensation, and relieves employers from being charged for unemployment claims related to COVID-19. It also clears the way for extended federal unemployment benefits and expected federal benefits for self-employed individuals and independent contractors.

Act 10 of 2020

House Bill 1232

Signed: March 27, 2020

Effective: March 27, 2020

Extends the deadlines for paying and filing state income tax returns to follow federal deadlines, which have been moved to July 15. It requires the Department of Community and Economic Development to coordinate with local governments to extend the local tax filing and payment date to coincide with the new federal and state date of July 15. It also allows for the transfer of up to \$50 million in state funds to be used to help hospitals, nursing facilities and EMS providers to purchase medical equipment and supplies to address COVID-19.

Act 12 of 2020

Senate Bill 422

Signed: March 27, 2020

Effective: March 27, 2020

Adds an article to the act laying out emergency provisions for the 2020 General Primary Election, which sets the date of the election to June 2, 2020. Provides for consolidation of polling places, for campaign finance report deadlines and for existing ballots.

Act 13 of 2020

Senate Bill 751

Signed: March 27, 2020

Effective: March 27, 2020

Impacts only the 2019/20 school year by waiving the 180-day school year requirement as well as standardized testing requirements. School employees employed before March 13, 2020 will continue to be paid for the rest of the school year. It also authorizes the Secretary of Education to close all schools until the COVID-19 crisis is over.

Act 15 of 2020**Senate Bill 841****Signed: April 20, 2020****Effective: April 20, 2020**

Allows local governments to meet remotely via telecommunication device during the emergency declaration. The act also addresses approval requests during the emergency declaration by suspending statutory time limits for 30 days to allow remote meeting procedures to be developed. Lastly, the act provides property tax relief options. Please [visit our website](#) for a more detailed summary of the act.

LEGISLATION OF INTEREST

Neighborhood Assistance Tax Credit

[House Bill 896 \(PN 2087\)](#), introduced by Representative Thomas Caltagirone, would amend the Tax Reform Code concerning the Neighborhood Assistance Tax Credit by adding homeless housing assistance to the definition of community services. "Homeless housing assistance" would be defined as a program or project designed to prevent or reduce homelessness or provide greater access to housing or shelter for individuals who are homeless or at immediate risk of becoming homeless.

The bill would further provide that any business that engages or contributes to a homeless housing assistance program, located in a land bank jurisdiction as defined in 68 Pa.C.S. § 2103, would be eligible for a tax credit subject to approval by the Secretary of the Department of Community and Economic Development.

Location: *Passed the House, April 14, 2020*

Senior Citizen Tax Reduction Incentive Act

[House Bill 974 \(PN 3593\)](#), introduced by Representative Michael Peifer, would create the Senior Citizen Reduction Incentive Act allowing municipalities to establish a senior citizen tax reduction incentive volunteer exchange program in which senior citizens would receive a real property tax credit in exchange for their volunteer service. The volunteer service provided by a program participant would be required to enhance and directly benefit the municipality.

The real property tax credit rate would be established by the municipality and would not exceed the total amount of real property taxes that are owed by the program participant. Each volunteer hour provided by a participant would be compensated with a real property tax credit which would be no less than the minimum hourly wage required by the Minimum Wage Act of 1968.

Municipalities would be able to use public or private funding sources to support this program.

Location: *Passed the House, April 21, 2020*

Local Government Capital Project Loan Fund

[House Bill 1822 \(PN 3595\)](#), introduced by Representative Mark Keller, would amend Article XVI-D pertaining to the Local Government Capital Project Loan Fund. It would change the definition of municipality by increasing the population requirement from 12,000 to 15,000 in order to apply for a loan.

Additionally, the bill would increase the amount of a loan for purchasing equipment from \$50,000 to \$150,000, it would increase the amount of a loan for purchasing, constructing, renovating or rehabilitating facilities from \$100,000 to \$250,000, it would change the interest rate to the ten-year U.S. Treasury rate rounded to the closest quarter point, not to exceed two percent and it would increase the term of the loan from 10 to 15 years.

This bill was amended in and passed by the House to also include COVID-19 provisions that would provide for employee protections and would place state spending restrictions on certain special funds as designated in the bill.

Location: *Passed the House, April 21, 2020*

Automatic Heart and Lung Benefits and Basic Life Support Ambulance Staffing Waiver

[House Bill 1869](#) (PN 3582), introduced by Representative Clint Owlett, would amend Title 35 (Health and Safety), providing authorization for the Department of Health (DOH) to grant Basic Life Support Ambulance (BLS) staffing waivers. DOH would permit an EMS agency to file for a waiver from staffing requirements for extraordinary reasons as determined by the department on a case by case basis and in the best interest of the EMS system and patient care. Waivers would expire three years after the bill's enactment.

A Senate amendment was added to the bill on April 20 that would require municipal employers to automatically grant a Heart and Lung benefit claim for contracting COVID-19 or having to be quarantined. The normal requirement for an employee to prove the injury was caused in the performance of his duties would be waived. The bill would limit the benefit to 60 days.

Location: *On the Governor's desk, April 22, 2020; Last day for Governor's action, May 2, 2020*

Commingling of Tax Free Motor Fuel

[House Bill 2233](#) (PN 3276), introduced by Representative Keith Greiner, would amend Title 75 (Vehicles) allowing political subdivisions and volunteer services (i.e. fire, ambulance and rescue squads) to commingle their tax exempt motor fuel in common storage tanks.

Each exempt entity, a political subdivision and/or volunteer service, would be able to enter into a commingling agreement, and such an agreement would include provisions for purchase, delivery, use and safety. Each entity would also be responsible for their own recordkeeping of their use of the tax exempt motor fuel. The storage tank would need to be located on the property of the political subdivision, and each exempt entity in the comingling agreement would need to separately contract with a distributor for purchase and delivery of fuel.

Location: *Received in the Senate and referred to the Senate Transportation Committee, April 20, 2020*

Satisfaction of Municipal Liens

[House Bills 2316](#) (PN 3530), [2317](#) (PN 3531), and [2318](#) (PN 3532), introduced as a bill package by Representative David Rowe, would amend the Real Estate Tax Sale Law, the Second Class City Treasurer's Sale and Collection Act and the Municipal Claim and Tax Lien Law providing for the satisfaction of liens. All creditors would receive payment on a first come, first serve basis in the order in which judgement is filed for delinquent county, city, borough, town, township, school

district and institution district taxes, as well as for municipal improvements including the removal of nuisances and for water rents or rates, sewer rates, and lighting rates.

Location: House Finance Committee, April 3, 2020

Exempting CARES Act Payments from State and Local Taxes

Senate Bill 1104 (PN 1617), introduced by Senator Jim Brewster, would exempt payments received from the U.S. Coronavirus Aid, Relief and Economic Security (CARES) Act as earned or taxable income of an individual for the 2020 tax year, specifically exempting the income for the purpose of the Local Tax Enabling Act, the Tax Reform Code of 1971, and the Taxpayer Relief Act.

Location: Senate Finance Committee, April 3, 2020



NATIONAL LEAGUE OF CITIES UPDATE

Impact of COVID-19 on College and University Communities

Advocacy efforts are underway by the International Town & Gown Association (ITGA), the National League of Cities - University Communities Council, and the International City/County Management Association (ICMA) to inform Congress of the unique impacts of COVID-19 on college and university communities. Of particular concern are the impacts on the Complete Count for the 2020 Census and the need for economic assistance to lessen the strain on the unique economies of host communities.

Please [click here](#) to read a letter sent by the leaders of the ITGA, NLC and ICMA to Congress.

Please [click here](#) to send your own letter to your member of Congress, and Senators Casey and Toomey through NLC's advocacy platform.

Thank you to State College Borough for contributing to the development of these advocacy pieces and for passing them along to us to share statewide.

HOUSE AND SENATE SESSION DAYS 2020

Senate:

May 4-6, 18-20

June 1-3, 8-10, 15-17, 22-26, 29-30

September 15-17, 29-30

House:

May 4-6, 11-13, 18

June 1-3, 8-10, 15-17, 22-26, 29-30

***reminder - session dates are subject to change**

