

Legislative Locator

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



January 2022

Take Action as a Local Advocate: Review The League's 2022 Policy Statement and Advocacy Toolkit

The League's Policy Statement serves as a guide when representing our members before the legislative, judicial and executive branches in Harrisburg and Washington, D.C. The Policy Statement is a living, comprehensive statement of goals and policies developed by consensus of The League's members. The [Policy Statement](#) incorporates the resolutions passed by League membership during the annual Municipal Leadership Summit.

With the start of 2022, the Pennsylvania General Assembly has entered the second half of the current legislative session. The League's legislative staff is tracking hundreds of bills pertinent to maintaining and supporting effective and efficient local government, but we also rely on our members to aid in our advocacy efforts. As a local official, you are in a unique position to represent your community's interests not only locally, but also at the state level. Whether you are writing a letter, making a phone call or meeting with your state representative about an issue important to your municipality or the greater League membership, you need the right tools to communicate effectively. The League encourages local officials, elected or appointed, to review our [Advocacy Toolkit](#) to prepare for your advocacy strategies and efforts in the year ahead.

ARPA Final Rule Webinar

Please join us on Monday, January 31 at 11 a.m. for an informative webinar on the ARPA Final Rule presented by Dave Mitchell, Esq., Campbell Durrant P.C.

This free one-hour webinar will address the revised rules for spending State and Local Fiscal Recovery Fund money provided to local governments under the American Rescue Plan Act in light of the Final Rule issued by the U.S. Treasury on January 6, 2022. The webinar will address the changes brought by the Final Rule, which is generally more flexible and permits a wider variety of uses than the prior Treasury guidance. The session will review the new rules for calculating lost revenue and a new option that provides even local governments with no lost revenue the ability to spend up to \$10 million in the least restrictive government services/lost revenue category. The session will also cover the ways the Final Rule gives local governments an enhanced ability to provide a wider range of services to low and moderate-income households and communities, new options for infrastructure projects, and new ways to use funds for certain payroll costs.

[Register Now](#)

2022 Bid Limits Announced

The Pennsylvania Department of Labor and Industry has announced changes to the base amounts triggering the requirement for public bids, telephonic bids, or separate bids, for certain contracts. There is a 5.4% change for this year. The base amount for public bids is \$21,900 and the base amount for written or telephonic bids is \$11,800, effective January 1, 2022. [Click here](#) for the complete list of base values.



Every municipal election cycle presents a chance to reach out to our newly elected officials to introduce them to different topics and issues. Newly elected and incumbent officials are invited to participate in this exceptional personal development and training opportunity.

Please visit our [website](#) for registration information and to find instructions for booking a hotel room.

Cosponsor Memos

Representative Tracy Pennycuick has announced intention to introduce legislation amending the Municipalities Planning Code to allow for temporary low impact home business relocation.

Senator Patrick Browne has announced intention to introduce legislation creating an independent authority to offset government payments against outstanding taxes and debts owed to the Commonwealth or local governments.

Legislation of Interest

Adding Land Banks to Abandoned and Blighted Property Conservatorship Act

[**House Bill 2210 \(PN 2575\)**](#), introduced by Representative Tracy Pennycuick, would amend the Abandoned and Blighted Property Conservatorship Act adding land banks to the definition of “Party in Interest” as an eligible entity that may petition the court for appointment as a conservator under the Act.

Location: House Urban Affairs Committee, January 5, 2022

COLA for Retired Municipal Police

[**House Bill 2237 \(PN 2592\)**](#), introduced by Representative Martina White, would amend the Special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act providing for a cost of living adjustment (COLA) for retired municipal police officers.

The bill outlines the calculations and details regarding the COLA increase. It also provides for a benefit reduction for officers entitled to the COLA by more than one municipal pension system, and for officers already receiving the 2002 COLA.

The bill includes a reimbursement from the Commonwealth for any municipal monies used to pay the COLA other than state aid funds. This reimbursement, however, comes out of the Act 205 Municipal Pension Plan Funding Standard and Recovery Act state aid funds. In order for a municipality to be eligible to receive reimbursement, it must submit certification to the Auditor General by April 1 of the year in which the reimbursement is payable. Reimbursements shall be placed into the municipality’s general fund.

Location: House Local Government Committee, January 11, 2022

Reduction in Local Police Services

[**House Bill 2243 \(PN 2598\)**](#), introduced by Representative Mike Sturla, would amend Title 44 (Law and Justice) requiring municipalities that reduce local police services to reimburse the state.

A municipality that reduces its police budget by 25 percent or more from the prior calendar year would be required to pay the state an amount equal to the reduction in the municipality’s budget allocation for police services. Additionally, a municipality that entirely eliminates its police services would be required to pay the state an amount equal to its most recent police budget allocation.

Money collected under this bill would be deposited into the general fund strictly for funding State Police operations. Lastly, municipalities classified as distressed under Act 47 would continue to adhere to the Act’s regulations.

Location: House Local Government Committee, January 12, 2022

Local Government Continuity and Remote Meetings During Emergencies

[**House Bill 2253 \(PN 2609\)**](#), introduced by Representative Jerry Knowles, would amend Title 53 (Municipalities Generally) revising local emergency powers under Chapter 11 concerning temporary seats of government, remote meetings and succession of officers.

Current law only allows municipalities to designate a temporary meeting location and implement emergency succession of officers if under “enemy attack.” House Bill 2253 would expand this response by defining “emergency” as a disaster emergency declared by the Governor or municipality that directly impacts a municipality’s ability to provide services or hold a regular or

special meeting of the governing body of the municipality. Therefore, local governments would be permitted to hold public meetings at temporary locations during emergencies declared by the Governor or locally.

Additionally, the bill would authorize a local governing body to meet remotely via an authorized telecommunications device during a declared emergency that has rendered the physical presence of officials unsafe, hazardous or impossible. An authorized telecommunications device would be defined as any device which permits, at a minimum, audio communication between individuals. In order to meet remotely, a municipality would be required to provide 12 hours of advance notice by posting an advertisement on their municipal website and/or in a newspaper of general circulation while following other Sunshine Law requirements to the greatest extent practicable and allowing remote public participation to the extent possible. Under the bill, a local governing body may not meet remotely for more than 21 consecutive days unless it adopts a resolution establishing the need to continue remote meetings in order to comply with an emergency declaration by the Governor and as extended by the General Assembly.

Finally, during a declared emergency, a municipal officer may appoint an emergency successor to carry out the duties of the office. The emergency successor may carry out such duties until the officer, or authorized deputy, is available; the vacancy is filled; or the emergency declaration expires or is rescinded.

Location: House Local Government Committee, January 14, 2022

Highly Automated Vehicles

[**Senate Bill 965 \(PN 1306\)**](#), introduced by Senator Wayne Langerholc, would amend Title 75 (Vehicles) allowing for the testing and deployment of highly automated vehicles (HAV) and directs PennDOT to develop regulations and guidelines consistent with the legislation.

Current law prohibits HAVs from operating without a licensed driver in actual physical control of a vehicle. Senate Bill 965 would remove this barrier by allowing a HAV, including commercial vehicles, to be operated with or without a driver on board. Specifically, this bill would authorize the operation of a HAV by either a human driver, a human driver in a remote location or exclusively through automation.

Before operating a HAV with or without a driver on a highway, the vehicle's owner would be required to obtain no more than \$5 million in insurance. Additionally, the bill provides requirements for reporting accidents involving a HAV, as well as specifying how law enforcement would cite a HAV with or without a driver. The bill also incorporates international standards from the Society of Automotive Engineers regarding the design, safety and operation of HAVs.

Lastly, local governments would be preempted from adopting a policy, rule or ordinance that regulates the operation of HAVs.

Location: Senate Transportation Committee, January 5, 2022

Final Rule on ARPA SLRF Grants: 10 Things for City Leaders to Know

For the first eight months of the groundbreaking State and Local Fiscal Recovery Fund grant program, enacted under the American Rescue Plan Act, local government grantees operated under an “interim final rule”. The interim rule was sufficiently clear on eligible expenditures to address immediate emergency needs related to losses stemming from COVID-19, and many cities and towns made their first grant expenditures to address those immediate needs. The interim rule also provided additional flexibilities for local governments to intervene in declines impacting individual households and small businesses in their communities; and to make community-wide improvements in water, sewer, and broadband. However, to meet the urgent need to deliver grants to state and local governments quickly, the interim rule was published without clear direction for every category of spending, and many questions from local leaders were not answered. As a result, some cities and towns pressed pause on grant expenditures until a final rule was released.

[Read More](#)

HOUSE AND SENATE SESSION DAYS 2022

House:

February 7-9
March 21-23, 28-30
April 11-13, 25-27

Senate:

February 7-9
March 28-30
April 4-6, 11-13

**reminder - session dates are subject to change*



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