

Legislative Locator

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



January 2021

Priorities, Policies and Advocacy in a New Legislative Session

The 2021/2022 legislative session began on January 5th when members of both the House and Senate were sworn in. The League has updated its [2021 Legislative Priorities](#) and [Policy Statement](#) for the new session; and the PSATC Legislative Priorities are in the process of being updated.

Additionally, the General Assembly has announced committee assignments for the next two years. Representative Carl Metzgar and Senator Chris Dush will serve as new chairs of the Local Government Committee in their respective chamber, while Representative Robert Freeman and Senator Timothy Kearney will serve as minority chairs. Also to note, Representatives Jerry Knowles and Michael Sturla will serve as new chairs of the House Urban Affairs Committee, and Senators Joe Pittman and Nikil Saval will serve as chairs of the Senate Urban Affairs and Housing Committee. Please visit the [General Assembly's website](#) for the full list of committee assignments and to find your legislators' contact information.

Lastly, please see the leadership roles for the House and Senate below. Republicans hold the majority in both chambers.

Senate

Democratic Leadership

Floor Leader: Jay Costa
Caucus Chair: Anthony Williams
Caucus Secretary: Wayne Fontana
Appropriations Committee Chair: Vincent Hughes
Caucus Administrator: Judith Schwank
Policy Committee Chair: Katie Muth

Republican Leadership

President Pro Tempore: Jake Corman
Floor Leader: Kim Ward
Caucus Chair: Bob Mensch
Caucus Secretary: Ryan Aument
Appropriations Committee Chair: Pat Browne
Caucus Administrator: Camera Bartolotta
Policy Committee Chair: Mario Scavella

House

Democratic Leadership

Leader: Joanna McClinton
Whip: Jordan Harris
Appropriations Committee Chair: Matthew Bradford
Caucus Chair: Dan Miller

Republican Leadership

Leader: Kerry Benninghoff
Whip: Donna Oberlander
Appropriations Committee Chair: Stan Saylor
Caucus Chair: George Dunbar
Policy Committee Chair: Martin Causer

Policy Committee Chair: Ryan Bizzaro
Caucus Administrator: Michael Schlossberg
Caucus Secretary: Tina Davis

Caucus Administrator: Kurt Masser
Caucus Secretary: Martina White

Cosponsor Memos

Consumer Fireworks Law Repeal

Representative Peter Schweyer has announced intention to introduce legislation repealing Act 43 of 2017, allowing for the use of consumer fireworks.

Borough Employees Running for Office

Representative Nick Pisciotano has announced intention to introduce legislation increasing the borough population threshold that prevents a borough employee from running for elected office from 3,000 to 5,000 people.

Vacant Property Registration and Assessment Act

Representative Gary Day has announced intention to introduce legislation, the Vacant Property Registration and Assessment Act, allowing municipalities to fight blight by creating and maintaining a vacant property registration and assessment program.

Right to Know Law Updates

Senator Michele Brooks has announced intention to introduce legislation making a number of changes to the Right to Know Law, including permitting local and state agencies to charge search, review, duplication and staff time fees when responding to public record requests for commercial purposes.

Municipal Police Recruitment and Retention Program Fund

Senator James Brewster has announced intention to introduce legislation, creating the Municipal Police Recruitment and Retention Program Fund, providing grants to hire and retain part-time municipal police officers.

Legislation of Interest

Preemption of Local Labor Mandates

House Bill 46 (PN 25), introduced by Representative Seth Grove, would amend Title 53 (Municipalities Generally) prohibiting a municipality from regulating employer policies or practices or enforcing any mandate regarding employer policies or practices as defined in the bill.

The bill would provide for exceptions of this prohibition, including a mandate enacted by a municipality affecting an employee or class of employees of the municipality, an ordinance authorized by the PA Human Relations Act and the terms and conditions of collective bargaining agreements. An ordinance, rule or policy enacted by a municipality before January 1, 2015, would not be invalidated by this bill. This bill would further provide circumstances for when a person adversely affected by a violation of the provisions of the bill can seek relief.

Location: House Local Government Committee, January 11, 2021

Clarifying Municipal Remote Meeting Authorization

House Bill 79 (PN 54), introduced by Representative Joseph Ciresi, would amend Title 35 (Health and Safety) clarifying that the provisions added to Title 35 by Act 15 of 2020 regarding remote meetings during a disaster emergency applies to the boards and commissions of political subdivisions in addition to governing bodies.

Location: House Local Government Committee, January 11, 2021

Municipalities Planning Code - Nonbuilding Lots

House Bill 141 (PN 107), introduced by Representative David Maloney, would establish the Family Heritage Open Space Protection Act by amending the PA Municipalities Planning Code.

This bill would allow for the creation of a nonbuilding lot, which would be exempt from the typical regulations of a subdivision and land development ordinance. For a nonbuilding lot, the property owner would need to obtain a waiver from the Department of Environmental Protection declaring there is no present need for sewage disposal facilities on the site.

If the owner or applicant of a subdivided parcel granted a nonbuilding waiver subsequently decides to develop the property, that individual would be required to comply with all applicable statutes, regulations and ordinances in effect at the time of development or construction.

A nonbuilding lot would be defined as a parcel of land that does not contain any structure or building that produces sewage, provided that a structure or building not producing sewage is allowed on the site.

Location: House Local Government Committee, January 13, 2021

Expanding Municipal Authority to Deny Permits

House Bill 160 (PN 128), introduced by Representative Gerald Mullery, would amend Title 53 (Municipalities Generally) expanding the authority of a municipality to deny issuing municipal permits to an applicant that owns real property in the municipality.

This bill would allow a municipality to deny a permit to a limited liability company (LLC), incorporated inside or outside the Commonwealth, with delinquencies in real property taxes, or municipal charges or for a failure to abate a serious violation of state or local code on its real property. The LLC or its principal would be required to disclose in writing when submitting a permit application any tax delinquencies, or unpaid municipal charges or failures to abate serious violations. Failure to disclose this information would result in a \$500 fine payable to the municipality.

Location: House Urban Affairs Committee, January 14, 2021

Restriction on Local Regulation of Agritourism Act

House Bill 216 (PN 182), introduced by Representative Todd Polinchock, would create the Restriction on Local Regulation of Agritourism Act.

An "agritourism activity" would be defined as a farm-related tourism or entertainment activity that takes place on agricultural land that allows members of the public to tour, explore, observe, learn about, participate in or be entertained by an aspect of agricultural production, harvesting, husbandry or rural lifestyle on the farm. The term would not include overnight accommodations, weddings, concerts or provisions for food and beverage.

The bill would restrict a local government from prohibiting the use of agricultural land for any of the following: agricultural purposes or construction of structures for agricultural purposes; an agritourism activity; a limited seasonal event; an activity that requires a limited license; a retail food facility; a wedding; or a musical event accompanying any of the previously listed activities. Local governments would be able to regulate the size of the structure used for an activity, the size of the parking lot, the property line setback for the activity's structure, and where necessary, to ensure a safe egress and ingress for the public.

Location: House Local Government Committee, January 22, 2021



The League thanks Congressman Brian Fitzpatrick for his sponsorship of the Energy Efficiency and Conservation Block Grant (EECBG)

[Click Here to View Letter](#)



NATIONAL LEAGUE OF CITIES UPDATE

How States Preempt Local Laws

One of the most visible challenges city policymakers are facing today are states that preempt their lawmaking abilities. Our research defines preemption broadly, as the use of coercive methods to substitute state priorities for local policymaking. North Carolina's "Bathroom Bill" (H.B. 2) limited their cities' rights to pass anti-discrimination laws (among others). Other cities face preemption of policies including minimum wages, gun regulations, and zoning ordinances. Yet, state preemption is not a new phenomenon. By looking at the four periods of modern preemption, city policymakers and administrators can gain insight into how to address potential state preemption of their own policies.

[Read More](#)

A promotional banner for the NLC Congressional City Conference 2021. On the left, a woman in a green scarf speaks at a podium with the NLC logo. The background features a blue sky with white stars. Text on the right includes the conference title, dates (March 7-10, 2021), a tagline "Your Advocacy is More Important than Ever", and a call to action to register at ccc.nlc.org.

NLC NATIONAL LEAGUE OF CITIES

CONGRESSIONAL CITY CONFERENCE

March 7-10 2021

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:

February 1-3

March 15-17, 22-24

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

Senate:

February 1-3, 22-24

March 15-17, 23-24

April 19-21, 26-28

**reminder - session dates are subject to change*



Remember, you can access all archived editions of the Legislative Locator as well as other member publications, forms and resources in your [Member Dashboard](#).