
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1559 Session of
2023

INTRODUCED BY SCOTT, HILL-EVANS, ROZZI, GIRAL, SMITH-WADE-EL AND
CEPEDA-FREYTIZ, JULY 6, 2023

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JULY 6, 2023

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in municipal authorities, further
3 providing for definitions, providing for public safety
4 authorities and further providing for purposes and powers.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 5602 of Title 53 of the Pennsylvania
8 Consolidated Statutes is amended by adding a definition to read:
9 § 5602. Definitions.

10 The following words and phrases when used in this chapter
11 shall have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 * * *

14 "Public safety project." The term:

15 (1) Includes any or all of the following:

16 (i) Emergency medical services.

17 (ii) Services, including administrative support,
18 coordination of service delivery and financing services,
19 relating to emergency medical services.

1 (2) Excludes police services.

2 * * *

3 Section 2. Title 53 is amended by adding a section to read:

4 § 5606.1. Public safety authorities.

5 (a) Authorization.--Except as provided under subsection (g),
6 the creation of an authority for the purpose of public safety
7 projects shall be restricted to a county. Counties may enter
8 into an agreement to create a joint authority under this
9 subsection.

10 (b) Municipal representation.--A county that creates a
11 public safety authority shall make a reasonable effort to
12 include representatives of the municipalities the county serves
13 in the governance structure of the public safety authority.

14 (c) Contracts.--

15 (1) Municipalities within or adjoining a county where a
16 public safety authority exists may enter into contracts or
17 agreements with the authority as may be deemed necessary or
18 convenient in connection with a public safety project.

19 (2) Except as provided in paragraph (3), a public safety
20 authority may not provide services or assess rates or other
21 charges without the municipality opting by ordinance to enter
22 into a contract with the authority.

23 (3) In the case of an authority operating as a dedicated
24 emergency response organization as defined in 35 Pa.C.S. §
25 7332 (relating to definitions), nothing in this subsection is
26 intended to interfere with or relieve the dedicated emergency
27 response organization from an obligation or commitment to
28 respond to a dispatch from a public safety answering point or
29 mutual aid system, or invoice and receive payment from an
30 appropriate party for the services rendered.

1 (d) Rates and other charges.--In addition to any other power
2 of an authority to fix, alter, charge and collect rates and
3 other charges in the area served by its facilities, a public
4 safety authority may fix, alter, charge and collect rates and
5 other charges for the services the authority provides, which
6 rates and charges shall be reasonable and uniform.

7 (e) Existing authorities.--Notwithstanding any provision of
8 this section, an authority that provides public safety services
9 in existence on the effective date of this section shall be
10 permitted to continue operation, without limitation, as a public
11 safety project as provided under this section.

12 (f) Duties of Department of Community and Economic
13 Development.--The Department of Community and Economic
14 Development, in consultation with the Director of the Bureau of
15 Emergency Medical Services of the Department of Health in
16 relation to emergency medical services authorities, shall:

17 (1) Work with relevant stakeholders to develop guidance
18 and assistance for counties to create public safety
19 authorities under this section.

20 (2) Contract with educational and technical assistance
21 providers to aid counties in starting and operating public
22 safety authorities.

23 (g) Municipal authorization.--Municipalities representing at
24 least 51% of a county's population or 40% of the total number of
25 municipalities in a county may create a joint public safety
26 authority if:

27 (1) the county, by resolution, states it does not intend
28 to create a public safety authority; or

29 (2) municipalities representing at least 51% of the
30 county's population or 40% of the total number of

1 municipalities in the county petition the county, by passing
2 resolutions, to create a public safety authority and the
3 county does not create the authority within 120 days of
4 receiving the petition.

5 Section 3. Section 5607(b)(2) of Title 53 is amended and
6 subsection (a) is amended by adding a paragraph to read:

7 § 5607. Purposes and powers.

8 (a) Scope of projects permitted.--Every authority
9 incorporated under this chapter shall be a body corporate and
10 politic and shall be for the purposes of financing working
11 capital; acquiring, holding, constructing, financing, improving,
12 maintaining and operating, owning or leasing, either in the
13 capacity of lessor or lessee, projects of the following kind and
14 character and providing financing for insurance reserves:

15 * * *

16 (19) Only in the case of an authority authorized under
17 section 5606.1 (relating to public safety authorities),
18 public safety projects.

19 (b) Limitations.--This section is subject to the following
20 limitations:

21 * * *

22 (2) The purpose and intent of this chapter being to
23 benefit the people of the Commonwealth by, among other
24 things, increasing their commerce, health, safety and
25 prosperity and not to unnecessarily burden or interfere with
26 existing business by the establishment of competitive
27 enterprises, none of the powers granted by this chapter shall
28 be exercised in the construction, financing, improvement,
29 maintenance, extension or operation of any project or
30 projects or providing financing for insurance reserves which

1 in whole or in part shall duplicate or compete with existing
2 enterprises serving substantially the same purposes. This
3 limitation shall not apply to the exercise of the powers
4 granted under this section:

5 (i) for facilities and equipment for the collection,
6 removal or disposal of ashes, garbage, rubbish and other
7 refuse materials by incineration, landfill or other
8 methods if each municipality organizing or intending to
9 use the facilities of an authority having such powers
10 shall declare by resolution or ordinance that it is
11 desirable for the health and safety of the people of such
12 municipality that it use the facilities of the authority
13 and state if any contract between such municipality and
14 any other person, firm or corporation for the collection,
15 removal or disposal of ashes, garbage, rubbish and other
16 refuse material has by its terms expired or is terminable
17 at the option of the municipality or will expire within
18 six months from the date such ordinance becomes
19 effective;

20 (ii) for industrial development projects if the
21 authority does not develop industrial projects which will
22 compete with existing industries;

23 (iii) for authorities created for the purpose of
24 providing business improvements and administrative
25 services if each municipality organizing an authority for
26 such a project shall declare by resolution or ordinance
27 that it is desirable for the entire local government unit
28 to improve the business district;

29 (iv) to hospital projects or health centers to be
30 leased to or financed with loans to public hospitals,

1 nonprofit corporation health centers or nonprofit
2 hospital corporations serving the public or to school
3 building projects and facilities to be leased to or
4 financed with loans to private, nonprofit, nonsectarian
5 secondary schools, colleges and universities, State-
6 related universities and community colleges or to
7 facilities, as limited under the provisions of this
8 section, to produce steam or to generate electric power
9 if each municipality organizing an authority for such a
10 project shall declare by resolution or ordinance that it
11 is desirable for the health, safety and welfare of the
12 people in the area served by such facilities to have such
13 facilities provided by or financed through an authority;

14 (v) to provide financing for insurance reserves if
15 each municipality or authority intending to use any
16 proceeds thereof shall declare by resolution or ordinance
17 that it is desirable for the health, safety and welfare
18 of the people in such local government unit or served by
19 such authority; [or]

20 (vi) to projects for financing working capital[.];
21 or

22 (vii) to public safety projects that support
23 existing enterprises serving substantially the same
24 purposes.

25 * * *

26 Section 4. This act shall take effect in 60 days.