
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 543 Session of
2023

INTRODUCED BY CAPPELLETTI, HAYWOOD, KEARNEY, SCHWANK, COMITTA,
COSTA, STREET, DILLON AND KANE, MARCH 28, 2023

REFERRED TO URBAN AFFAIRS AND HOUSING, MARCH 28, 2023

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in optional affordable housing
3 funding, further providing for affordable housing programs
4 fee in counties, providing for reporting requirements and for
5 Pennsylvania Affordable Housing Advisory Committee and
6 imposing duties on the Pennsylvania Housing Finance Agency.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 6011(b) of Title 53 of the Pennsylvania
10 Consolidated Statutes is amended and the section is amended by
11 adding a subsection to read:

12 § 6011. Affordable housing programs fee in counties.

13 * * *

14 (b) Limitation.--The additional fees levied by a governing
15 body of a county under subsection (a) shall not exceed 100% of
16 the amounts charged [on February 12, 1993.] by the county for
17 recording deeds and mortgages.

18 (c) Construction.--Subsection (a) shall not limit or
19 otherwise impact the authority of a county to alter the fees
20 levied by the county as of the effective date of this subsection

1 for recording deeds and mortgages.

2 Section 2. Subchapter C of Chapter 60 of Title 53 is amended
3 by adding sections to read:

4 § 6014. Reporting requirements.

5 (a) County reporting.--Beginning July 1, 2023, and no later
6 than each July 1 thereafter, a county collecting proceeds as a
7 result of the fee levied under section 6011(a) (relating to
8 affordable housing programs fee in counties) shall submit an
9 annual report to the advisory committee established under
10 section 6015 (relating to Pennsylvania Affordable Housing
11 Advisory Committee) on a form and in a manner prescribed by the
12 Pennsylvania Housing Finance Agency.

13 (b) Content of reports.--Each annual report required under
14 subsection (a) shall contain all of the following information
15 for the preceding fiscal year:

16 (1) The total amount of money collected by the county as
17 a result of the fee under section 6011(a) and the total
18 amount allocated by the county from that money.

19 (2) Amounts and descriptions of the county's allocations
20 made from money collected as a result of the fee levied under
21 section 6011(a) to a separate account for the purpose of
22 funding affordable housing efforts as described in section
23 6012(b)(1) (relating to disposition of proceeds in counties).

24 (3) Amounts and descriptions of the county's allocations
25 made from money collected as a result of the fee levied under
26 section 6011(a) for the purpose of covering administrative
27 costs associated with the affordable housing efforts as
28 described in section 6012(b)(2).

29 (4) A description of the county's affordable housing
30 efforts funded by the money collected by the county as a

1 result of the fee levied under section 6011(a).

2 (5) The county's recommendations, if any, regarding
3 additional needs of the county to address affordable housing
4 challenges.

5 (c) Duties of Pennsylvania Housing Finance Agency.--

6 (1) The Pennsylvania Housing Finance Agency shall
7 prescribe the form and manner of the annual reports required
8 under subsection (a).

9 (2) Annual reports submitted under this section shall be
10 posted to the publicly accessible Internet website of the
11 Pennsylvania Housing Finance Agency.

12 § 6015. Pennsylvania Affordable Housing Advisory Committee.

13 (a) Establishment.--The Pennsylvania Affordable Housing
14 Advisory Committee is established within the Pennsylvania
15 Housing Finance Agency.

16 (b) Composition.--The advisory committee shall consist of
17 the following members:

18 (1) The Executive Director of the Pennsylvania Housing
19 Finance Agency or a designee. The designee under this
20 paragraph must be an employee of the Pennsylvania Housing
21 Finance Agency. The Executive Director or designee shall
22 serve as the chairperson of the advisory committee.

23 (2) The following individuals to be appointed by the
24 Governor within 30 days of the effective date of this
25 paragraph:

26 (i) Six individuals who:

27 (A) represent the counties collecting proceeds
28 as a result of the fee levied under section 6011(a)
29 (relating to affordable housing programs fee in
30 counties);

1 (B) are employed by counties involved in the
2 operation of one or more affordable housing efforts
3 under this subchapter; and

4 (C) represent different geographical regions of
5 this Commonwealth.

6 (ii) One individual representing the Housing
7 Alliance of Pennsylvania.

8 (iii) One individual representing the Pennsylvania
9 chapter of the American Institute of Architects.

10 (iv) One individual representing residential real
11 estate developers.

12 (v) One individual representing construction trades.

13 (vi) One individual representing mortgage lenders.

14 (vii) One individual representing the interests of
15 persons with disabilities.

16 (viii) One individual representing home builders.

17 (ix) One individual representing neighborhood
18 groups.

19 (x) One individual representing low-income families.

20 (xi) One individual representing service providers
21 servicing low-income families.

22 (xii) One individual representing nonprofit
23 community-based organizations and community development
24 corporations.

25 (xiii) One individual representing real estate
26 brokers or salespersons.

27 (xiv) One individual representing apartment owners.

28 (xv) One individual representing renters.

29 (xvi) One individual representing the manufactured
30 housing industry.

1 (c) Quorum and voting.--

2 (1) Nine members of the advisory committee shall
3 constitute a quorum.

4 (2) A vote of the majority of the members of the
5 advisory committee shall prevail.

6 (d) Terms.--

7 (1) The Executive Director of the Pennsylvania Housing
8 Finance Agency shall serve as a member and the chairperson of
9 the advisory committee if that individual continues to serve
10 in the official capacity of Executive Director.

11 (2) Advisory committee members appointed under
12 subsection (b) (2) shall be appointed to staggered three-year
13 terms, as determined by the Governor. An advisory committee
14 member may be reappointed for an additional term.

15 (3) As follows:

16 (i) Subject to subparagraph (ii), an advisory
17 committee member whose term expires shall continue as a
18 member of the advisory committee until a replacement has
19 been appointed. The member shall have full voting rights
20 and count for purposes of establishing a quorum.

21 (ii) A member may not continue to serve on the
22 advisory committee beyond six months from the date of the
23 expiration of the member's term.

24 (4) An individual appointed to fill a vacancy on the
25 advisory committee under subsection (e) shall serve for the
26 unexpired term and shall be eligible for reappointment.

27 (e) Vacancies.--If a vacancy occurs on the advisory
28 committee, the Governor shall appoint a successor member within
29 30 days of the vacancy.

30 (f) Meetings.--The advisory committee shall meet in

1 accordance with the following:

2 (1) Advisory committee members shall meet no fewer than
3 four times per year on a quarterly basis, but may hold
4 additional meetings as are called by the chairperson of the
5 advisory committee.

6 (2) The agenda for each meeting of the advisory
7 committee and all meeting minutes of the advisory committee
8 shall be posted on the publicly accessible Internet website
9 of the Pennsylvania Housing Finance Agency. Information
10 regarding the agendas and minutes shall be accessible for
11 inspection and duplication in accordance with the act of
12 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know
13 Law.

14 (3) Meetings of the advisory committee shall comply with
15 65 Pa.C.S. Ch. 7 (relating to open meetings).

16 (g) Compensation and reimbursement.--

17 (1) Advisory committee members shall not be entitled to
18 compensation for their service as advisory committee members.

19 (2) Advisory committee members shall be entitled to
20 reimbursement in accordance with Commonwealth guidelines for
21 reasonable travel, lodging and other necessary expenses
22 incurred in the performance of their duties as advisory
23 committee members.

24 (h) Powers.--The advisory committee shall have the power to
25 advise and consult the Executive Director of the Pennsylvania
26 Housing Finance Agency and counties collecting proceeds as a
27 result of the fee levied under section 6011(a) on affordable
28 housing efforts as defined in section 6013 (relating to
29 affordable housing efforts in counties) and how to expand or
30 improve affordable housing efforts.

1 (i) Duties.--The advisory committee shall have the following
2 duties:

3 (1) To meet to share, study and consider challenges to
4 county affordable housing efforts in addition to existing and
5 new affordable housing efforts that demonstrate success in
6 increasing access to affordable housing in the counties.

7 (2) To review the most recent annual reports submitted
8 by the counties under section 6014 (relating to reporting
9 requirements).

10 (3) Beginning no later than January 1, 2024, and by each
11 January 1 thereafter, to provide an annual report to the
12 chairperson and minority chairperson of the Urban Affairs and
13 Housing Committee of the Senate and the chairperson and
14 minority chairperson of the Urban Affairs Committee of the
15 House of Representatives. The following apply:

16 (i) Each annual report shall contain the following
17 information:

18 (A) The activities of the advisory committee.

19 (B) A summary of the most recent annual reports
20 submitted by the counties under section 6014.

21 (C) Recommendations of the advisory committee

22 to:

23 (I) Address challenges to affordable housing
24 efforts.

25 (II) Improve the efficiency and value of
26 counties' use of proceeds collected in accordance
27 with section 6011(a) on affordable housing
28 efforts.

29 (III) Address new affordable housing efforts
30 that demonstrate success in increasing access to

1 affordable housing.

2 (ii) Each annual report shall be posted on the
3 publicly accessible Internet website of the Pennsylvania
4 Housing Finance Agency.

5 (j) Definitions.--As used in this section, the following
6 words and phrases shall have the meanings given to them in this
7 subsection unless the context clearly indicates otherwise:

8 "Advisory committee." The Pennsylvania Affordable Housing
9 Advisory Committee established under subsection (a).

10 Section 3. This act shall take effect in 60 days.