

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1284 Session of 2017

INTRODUCED BY PEIFER, PICKETT, DRISCOLL, DUNBAR, M. K. KELLER, OBERLANDER, DAVIS, B. O'NEILL, BAKER, GROVE, KAUFFMAN, R. BROWN, CAUSER, MILLARD, BLOOM, SANKEY, B. MILLER, PASHINSKI, HELM, D. COSTA, ZIMMERMAN, KEEFER, GILLEN, PHILLIPS-HILL, MURT, SOLOMON, BARBIN AND CHARLTON, APRIL 25, 2017

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 22, 2018

AN ACT

1 Providing for the Pennsylvania Business ~~Permitting Portal~~ ONE- <--
2 STOP SHOP within the Department of Community and Economic
3 Development.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Pennsylvania
8 Business ~~Permitting Portal~~ ONE-STOP SHOP Act. <--

9 ~~Section 2. Legislative intent.~~ <--

10 ~~The General Assembly recognizes the following public policy~~
11 ~~purposes and declares the following objectives of the~~
12 ~~Commonwealth are to be served by this act:~~

13 ~~(1) To provide one stop services to assist businesses in~~
14 ~~identifying and securing appropriate permits, licenses,~~
15 ~~certifications, applications, forms and registrations needed~~
16 ~~to establish and operate a business in this Commonwealth.~~

1 ~~(2) To establish the Pennsylvania Business Permitting~~
2 ~~Portal to provide an electronic single access point to aid~~
3 ~~existing and potential business owners in completing the~~
4 ~~various business registration forms and permit applications~~
5 ~~required to establish and operate a business in this~~
6 ~~Commonwealth.~~

7 ~~(3) To provide for the compilation of a comprehensive~~
8 ~~listing of all permits required by Commonwealth agencies and~~
9 ~~categorize the required permits into a format that is readily~~
10 ~~available to business owners.~~

11 ~~(4) To promote efficient dialogue between permit~~
12 ~~applicants and the Commonwealth agency responsible for the~~
13 ~~review of permit applications.~~

14 Section 3 2. Definitions. <--

15 The following words and phrases when used in this act shall
16 have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Commonwealth agencies." Any office, department, authority,
19 board or commission of the Executive Department of the
20 Commonwealth THAT IS SUBJECT TO THE POLICY SUPERVISION AND <--
21 CONTROL OF THE GOVERNOR.

22 "Department." The Department of Community and Economic
23 Development of the Commonwealth.

24 "Individual business account." A secure online account
25 maintained by the Department of Community and Economic
26 Development to store individualized information relating to a
27 business's activities through the ~~permitting portal~~ ONE-STOP <--
28 SHOP.

29 ~~"Local permitting authorities." Any municipality or~~ <--
30 ~~municipal authority which has the authority to issue a permit.~~

1 "ONE-STOP SHOP." THE PENNSYLVANIA BUSINESS ONE-STOP SHOP <--
2 ESTABLISHED UNDER SECTION 3(A) .

3 "Permit." The whole, part or the renewal of any permit,
4 certificate, license, approval, registration, charter or any
5 other form of permission issued by a Commonwealth agency to
6 allow for the operation of a business in this Commonwealth.

7 "Permit application." Any request to a Commonwealth agency
8 which is necessary to obtain a permit.

9 ~~"Permitting portal." The Pennsylvania Business Permitting~~ <--
10 ~~Portal established under section 4.~~

11 ~~"Secretary." The Secretary of Community and Economic~~
12 ~~Development.~~

13 Section 4 3. Establishment of the Pennsylvania Business <--
14 ~~Permitting Portal~~ ONE-STOP SHOP. <--

15 (a) Establishment.--The department shall establish the
16 Pennsylvania Business ~~Permitting Portal~~ ONE-STOP SHOP to provide <--
17 a single online access point to aid ~~existing and potential~~ <--
18 business owners ~~in completing~~ AND POTENTIAL BUSINESS OWNERS IN <--
19 IDENTIFYING AND SECURING the necessary ~~permit applications~~ <--
20 PERMITS, LICENSES, CERTIFICATIONS, APPLICATIONS, FORMS AND <--
21 REGISTRATIONS associated with ~~establishing and operating~~ <--
22 SATISFYING THE LEGAL REQUIREMENTS NECESSARY TO LAWFULLY <--
23 ESTABLISH AND OPERATE a business in this Commonwealth.

24 (B) FUNCTIONS.--NO LATER THAN 30 DAYS AFTER THE EFFECTIVE <--
25 DATE OF THIS SUBSECTION, THE ONE-STOP SHOP SHALL PROVIDE
26 ELECTRONIC ACCESS TO FEATURES OR RESOURCES REGARDING THE
27 FOLLOWING:

28 (1) THE REGISTRATION OF BUSINESS NAMES UNDER 54 PA.C.S.
29 CH. 5 (RELATING TO CORPORATE AND OTHER ASSOCIATION NAMES) .

30 (2) THE PROFESSIONAL LICENSURE REQUIREMENTS FOR

1 BUSINESSSES IMPOSED BY THE COMMONWEALTH.

2 (3) THE REGISTRATION OF BUSINESS STRUCTURES WITH THE
3 DEPARTMENT OF STATE.

4 (4) THE REGISTRATION OF A FICTITIOUS NAME WITH THE
5 DEPARTMENT OF STATE UNDER 54 PA.C.S. CH. 3 (RELATING TO
6 FICTITIOUS NAMES).

7 (5) THE REGISTRATION OF STATE TAX ACCOUNTS WITH THE
8 DEPARTMENT OF REVENUE.

9 (6) THE REGISTRATION OF EMPLOYER ACCOUNTS WITH THE
10 DEPARTMENT OF LABOR AND INDUSTRY.

11 (7) THE IDENTIFICATION OF POINTS OF CONTACT FOR
12 POLITICAL SUBDIVISIONS WHICH MAY HAVE APPLICABLE LOCAL
13 REGISTRATIONS, PERMITS, ZONING REQUIREMENTS OR OTHER
14 REQUIREMENTS.

15 ~~(b) Permitting portal~~ (C) ADDITIONAL functions.--The <--
16 ~~permitting portal shall, at a minimum, allow for the following:~~ <--
17 DEPARTMENT MAY ADD THE FOLLOWING FEATURES OR RESOURCES TO THE <--
18 ONE-STOP SHOP:

19 (1) The creation of an individual business account to
20 store general information on the business, which will be used
21 to automatically fill in recurring fields on a permit
22 application.

23 (2) The electronic submission of a permit application.

24 (3) The electronic submission of permit fees or fines.

25 (4) The tracking of status of payments from Commonwealth
26 agencies to contractors.

27 (5) The tracking of pending permit applications.

28 (6) The recording of electronic signatures.

29 (7) Access to customized, COMMONWEALTH agency-created <--
30 to-do checklists specific to the individual business account.

1 (8) Online interaction with the department to resolve
2 difficulties with the ~~permitting portal~~ ONE-STOP SHOP. <--

3 (9) Online interaction with Commonwealth agencies to
4 resolve questions relating to permit applications.

5 (10) The protection of the confidentiality of all
6 information submitted through the ~~permitting portal~~ ONE-STOP <--
7 SHOP.

8 (11) The recording of backup records of all activities,
9 including time-stamp information on the submission of permit
10 applications.

11 ~~(12) The listing of information relating to local permit~~ <--
12 ~~application information for relevant local permitting~~
13 ~~authorities.~~ ANY OTHER FEATURES OR RESOURCES THAT THE <--
14 DEPARTMENT DEEMS ADVISABLE.

15 Section 5 4. Cooperation between the department and <--
16 Commonwealth agencies.

17 ~~(a) Permit identification. The department shall coordinate~~ <--
18 ~~with the Commonwealth agencies to identify permits that are:~~

19 ~~(1) Appropriate for inclusion in the permitting portal.~~

20 ~~(2) Compatible with or that may be made compatible with~~
21 ~~the permitting portal.~~

22 ~~(b) Cooperation. The department and Commonwealth agencies~~
23 ~~shall cooperate in good faith to integrate the maximum number of~~
24 ~~permits into the permitting portal.~~

25 (A) TECHNICAL ASSISTANCE.--AT THE REQUEST OF THE DEPARTMENT, <--
26 A COMMONWEALTH AGENCY SHALL PROVIDE TECHNICAL ASSISTANCE AND
27 GUIDANCE FOR THE IMPLEMENTATION OF ADDITIONAL FEATURES OR
28 RESOURCES OF THE ONE-STOP SHOP.

29 (B) INTEGRATION.--A COMMONWEALTH AGENCY SHALL COOPERATE IN
30 GOOD FAITH WITH THE DEPARTMENT FOR THE DEVELOPMENT OF ADDITIONAL

1 FEATURES OR RESOURCES OF THE ONE-STOP SHOP.

2 Section ~~6~~ 5. Preservation of Commonwealth agency authority. <--

3 ~~(a) Existing regulatory authority.~~ This act shall not <--

4 supersede any regulatory authority granted to any Commonwealth
5 agency.

6 ~~(b) Existing permit authority. A Commonwealth agency listed~~ <--

7 ~~on the department's portal shall maintain final authority to do~~
8 ~~the following:~~

9 ~~(1) Determine the permits appropriate for inclusion on~~
10 ~~the permitting portal.~~

11 ~~(2) Approve or deny permits according to applicable law.~~

12 ~~(3) Determine the requirements for submission and~~
13 ~~payment of permit application fees and fines.~~

14 Section 7. Liability.

15 ~~This act shall not impose any liability on the department~~
16 ~~resulting from the operation of the permitting portal.~~

17 SECTION 6. ANNUAL REPORT. <--

18 NO LATER THAN JANUARY 1 OF EACH YEAR, THE DEPARTMENT SHALL
19 SUBMIT A REPORT ON THE ONE-STOP SHOP, INCLUDING INFORMATION ON
20 THE NUMBER OF BUSINESSES ASSISTED AND TYPES OF ASSISTANCE
21 PROVIDED TO EACH BUSINESS, TO THE FOLLOWING:

22 (1) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
23 COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT COMMITTEE OF
24 THE SENATE.

25 (2) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
26 COMMERCE COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

27 Section ~~8~~ 7. Effective date. <--

28 This act shall take effect immediately.