

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1442 Session of 2023

INTRODUCED BY BOROWSKI, KAZEEM, KRUEGER, SAPPEY, MADDEN, HANBIDGE, GALLAGHER, SANCHEZ, HILL-EVANS, KRAJEWSKI, D. WILLIAMS, GREEN AND SHUSTERMAN, JUNE 20, 2023

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 22, 2024

AN ACT

1 Amending the act of April 14, 2006 (P.L.85, No.28), entitled "An
2 act requiring State and local approval for terminations or
3 transfers by municipal authorities; authorizing and requiring
4 cities, boroughs, townships, municipal authorities and public
5 utility companies engaged in the supplying of water to shut
6 off the supply of water for nonpayment of sewer, sewerage or
7 sewage treatment rentals, rates or charges imposed by
8 municipal authorities organized by counties of the second
9 class, by cities of the second class, by cities of the second
10 class A, by cities of the third class, by boroughs or by
11 townships of the first or second class; authorizing and
12 requiring them to supply to such authorities lists of metered
13 water readings and flat-rate water bills and other data;
14 authorizing them to act as billing and collecting agents for
15 such authorities; conferring certain powers upon the
16 Pennsylvania Public Utility Commission in connection
17 therewith; requiring certain procedures to be followed in
18 residential buildings; and making a related repeal," in
19 municipal authority approval of actions, further providing
20 for definitions.

21 The General Assembly of the Commonwealth of Pennsylvania
22 hereby enacts as follows:

23 Section 1. The definitions of "authority" and "city" in
24 section 301 of the act of April 14, 2006 (P.L.85, No.28), known
25 as the Water Services Act, are amended to read:

26 Section 301. Definitions.

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

4 "Authority." A body politic and corporate which meets all of
5 the following:

6 (1) Is established by a city and incorporated under any
7 of the following:

8 (i) The former act of June 28, 1935 (P.L.463,
9 No.191), entitled, "An act providing, for a limited
10 period of time, for the incorporation, as bodies
11 corporate and politic, of 'Authorities' for
12 municipalities; defining the same; prescribing the
13 rights, powers, and duties of such Authorities;
14 authorizing such Authorities to acquire, construct,
15 improve, maintain, and operate projects, and to borrow
16 money and issue bonds therefor; providing for the payment
17 of such bonds, and prescribing the rights of the holders
18 thereof; conferring the right of eminent domain on such
19 Authorities; authorizing such Authorities to enter into
20 contracts with and to accept grants from the Federal
21 Government or any agency thereof; and for other
22 purposes."

23 (ii) The former act of May 2, 1945 (P.L.382,
24 No.164), known as the Municipality Authorities Act of
25 1945.

26 (iii) 53 Pa.C.S. Ch. 56 (relating to municipal
27 authorities).

28 (2) Provides water [and] or sewer services in accordance
29 with all of the following:

30 (i) The water or sewer services, or both, are

1 provided, either by an agreement with a municipality or
2 directly, to users who are residents of one or more
3 municipalities outside the boundaries of the city.

4 (ii) The total number of residents of municipalities
5 which are outside the boundaries of the city and in which
6 water or sewer services, or both, are offered or provided
7 exceeds by at least 50% the number of residents who
8 reside within the boundaries of the city.

9 (3) Owns:

10 (i) a sewer, sewer system or parts of a sewer or
11 sewer system or sewage treatment works; [and] or

12 (ii) a waterworks, water supply works or water
13 distribution system.

14 "City." A city of the third class, INCLUDING A CITY OF THE <--
15 THIRD CLASS which has adopted a home rule charter [and has a <--
16 population of {not more than} 30,000 or more]. <--

17 * * *

18 Section 2. This act shall take effect in 60 days.