

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 381 Session of 2021

INTRODUCED BY A. DAVIS AND HOWARD, FEBRUARY 3, 2021

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 3, 2021

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania  
 2 Consolidated Statutes, in general provisions relating to home  
 3 rule and optional plan government, further providing for  
 4 limitation on municipal powers.

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

7 Section 1. Section 2962(a)(1) of Title 53 of the  
 8 Pennsylvania Consolidated Statutes is amended to read:  
 9 § 2962. Limitation on municipal powers.

10 (a) Powers granted by statute.--With respect to the  
 11 following subjects, the home rule charter shall not give any  
 12 power or authority to the municipality contrary to or in  
 13 limitation or enlargement of powers granted by statutes which  
 14 are applicable to a class or classes of municipalities:

15 (1) [The] Except as provided in this paragraph, the  
 16 filing and collection of municipal tax claims or liens and  
 17 the sale of real or personal property in satisfaction of  
 18 them. A city of the third class that has adopted a home rule  
 19 charter and is located in a county of the second class may,

1 by ordinance, provide alternative procedures for the  
2 collection of a municipal tax claim or lien and the sale of  
3 real property in satisfaction of the claim or lien in any  
4 manner consistent with the Constitution of Pennsylvania and  
5 not prohibited by the home rule charter of the city of the  
6 third class. No ordinance adopted under this paragraph shall  
7 be effective until approved by resolution of all taxing  
8 districts, as defined in section 8802 (relating to  
9 definitions), levying property taxes within the city of the  
10 third class other than the city of the third class that  
11 enacted the ordinance. Upon the effective date of the  
12 ordinance, the city of the third class shall not be subject  
13 to any duties under those laws applicable to a city of the  
14 third class for the filing and collection of a municipal tax  
15 claim or lien and the sale of real property in satisfaction  
16 of the claim or lien.

17 \* \* \*

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