
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 809 Session of
2015

INTRODUCED BY HELM, WATSON, TOOHL, EVERETT, ROZZI, D. COSTA,
KORTZ, DAVIS, A. HARRIS, V. BROWN AND DIAMOND, MARCH 17, 2015

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 17, 2015

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in preemptions, providing for
3 occupation of dwelling units.

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

6 Section 1. Title 53 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 305. Occupation of dwelling units.

9 (a) General rule.--Except as provided in subsection (b), no
10 ordinance enacted by a municipality shall prohibit the
11 occupation of a dwelling unit based on:

12 (1) the individual's matriculation status; or

13 (2) the number of unrelated individuals sharing the
14 dwelling unit.

15 (b) Limitations.--The authorization in subsection (a) shall
16 be based on:

17 (1) reasonable and sufficient on-street and off-street

18 parking for the number of vehicles registered to or driven by

1 the occupants of the dwelling unit;

2 (2) that no more than two individuals per bedroom may
3 occupy the dwelling unit; and

4 (3) that the dwelling unit does not have any unique
5 health and safety concerns or unresolved code violations.

6 (c) Remedy.--This section preempts any ordinance or
7 regulation insofar as it is inconsistent with this section,
8 regardless of the effective date of the ordinance or regulation.

9 (d) Definition.--As used in this section, the term
10 "matriculation" means the state of being enrolled in a
11 postsecondary educational institution, including reasonable
12 periods of time before and between periods of matriculation.

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