



Acts Affecting County Government 2018

The following is a list of acts and vetoes affecting county government that passed in 2018. Included are the bill number and printer's number (bill version) and the date the act was signed into law. Copies of each act are available from the Legislature's website by clicking on the link.

[ACT 30](#) (SB 234, P.N. 1443; June 12, 2018) – Allows counties, as well as municipalities with community and economic development departments, to establish a Property Assessed Clean Energy (PACE) Program that would permit agricultural, commercial and industrial property owners to finance energy efficiency, water conservation and renewable energy projects and upgrades by recording the financial obligation as a lien against the property while it is collected over time through the property tax collection process.

[ACT 32](#) (HB 653, P.N. 3613; June 19, 2018) – Amends Title 68 (Real and Personal Property) to create accelerated procedures for vacant and abandoned property subject to foreclosure. Prohibits collection of the sheriff's commission if a sheriff's sale scheduled in the accelerated process is stayed, canceled, withdrawn or postponed.

[ACT 33](#) (SB 667, P.N. 1794; June 19, 2018) – Amends Title 68 (Real and Personal Property) to allow 2A through 8th class counties to designate a redevelopment authority as the land bank for its jurisdiction.

[ACT 36](#) (HB 1641, P.N. 2734; June 19, 2018) – Establishes Employment First as the policy of the commonwealth to provide for competitive integrated employment for individuals with disabilities in state and county agencies, including developing outcome expectations for employment such as annual baseline employment data and specific percentage goals for individuals with disabilities to obtain such employment. Further establishes the Governor's Cabinet for People with Disabilities in statute and establishes an Employment First Oversight Commission.

[ACT 38](#) (SB 851, P.N. 1795; June 19, 2018) – Amends the Real Estate Tax Sale Law to clarify that if a property is exposed to a tax sale but not sold, legal title remains with the owner of record. Further clarifies that the owner of property in the delinquent tax sale process remains responsible for the maintenance and upkeep of that property, while the county tax claim bureau's role as trustee would offer only the control necessary to convey the property under the law and would not subject the county to any liability for maintenance or nuisance remediation.

[ACT 40](#) (HB 1677, P.N. 3809; June 22, 2018) – Omnibus amendments to the Human Services Code in conjunction with the FY 2018-2019 state budget. Among other provisions, requires the

Department of Human Services to seek federal approval to move nonemergency medical transportation services (the Medical Assistance Transportation Program, or MATP) to a statewide or regional full-risk brokerage model. Further requires DHS to develop educational materials to notify consumers of the long-term care services available to them.

[ACT 42](#) (HB 1929, P.N. 3810; June 22, 2018) – Omnibus amendments to the Fiscal Code providing for implementation of the FY 2018-2019 state budget. Among other provisions, maintains a \$2.5 million transfer from the sale of liquor and alcohol sales to the Department of Drug and Alcohol Programs. Provides a one percent Medicaid rate increase for nursing homes effective January 1, 2019. Authorizes a transfer of \$5 million from the First Industries Program to the Commonwealth Financing Authority to support Pennsylvania’s dairy industry.

[ACT 45](#) (HB 2468, P.N. 3803; June 24, 2018) – Amends Title 26 (Eminent Domain) requiring governmental agencies to obtain Orphan’s Court approval before using eminent domain to take permanently preserved land.

[ACT 54](#) (SB 499, P.N. 499; June 28, 2018) – Amends Title 61 (Prisons and Parole) to allow 8th class counties to hold prison inspector board meetings at least quarterly instead of monthly, and to choose the meeting location at the county’s discretion.

[ACT 56](#) (HB 1419, P.N. 3314; June 28, 2018) – Amends Title 18 (Crimes) and Title 42 (Judiciary) to create automatic eligibility for “clean slate limited access” to qualifying criminal records of all summary convictions ten or more years old and records of arrests or prosecutions that resulted in a disposition other than a conviction within 60 days, provided the individual has completed all court-ordered financial obligations and has never been convicted of a felony or certain other offenses, and at least ten years have passed since the most recent felony or misdemeanor conviction. Further provides for limited access by petition to the court if the individual is ineligible for automatic clean slate limited access.

[ACT 63](#) (HB 1232, P.N. 3782; June 28, 2018) – Amends Title 23 (Domestic Relations) to increase the retention period for all child welfare referrals to ten years from the current five-year retention period allowed for General Protective Services reports. Further requires all schools post the statewide toll-free telephone number for reporting suspected child abuse or neglect.

[ACT 71](#) (SB 1037, P.N. 1781; June 28, 2018) – Amends Title 71 (State Government) to transfer to the testing and selection process for county and state civil service positions from the State Civil Service Commission to the Office of Administration.

[ACT 78](#) (HB 1346, P.N. 2167; October 12, 2018) – Amends Title 18 (Crimes) and Title 53 (Municipalities) to increase the criminal penalties for surveillance of someone in a private place using an unmanned aircraft, or drone. Provides exceptions for law enforcement activities, as well as official duties conducted by employees of state and local corrections facilities and government agencies as well as activities related to aerial data collection.

[ACT 79](#) (HB 2060, P.N. 3820; October 12, 2018) – Amends Title 18 (Crimes) and Title 23 (Domestic Relations) to impose tighter restrictions on the possession of firearms after the issuance of a protection from abuse order or conviction for a domestic violence offense. Provides for relinquishment of firearms in a person’s possession or control to law enforcement agencies, licensed firearms dealers, commercial armories and sheriff’s offices.

[ACT 81](#) (HB 783, P.N. 4136; October 19, 2018) – Amends Title 75 (Vehicles) to exempt mobile homes and manufactured homes not previously titled in Pennsylvania from the requirement to obtain a tax certification from the county tax claim bureau before PennDOT can issue a title transfer. Further clarifies that any tax certification issued by a county tax claim bureau for purposes of a title transfer must include school, municipal and county taxes, including any delinquent taxes turned over to a third party for collection.

[ACT 88](#) (HB 1539, P.N. 3353; October 23, 2018) – Amends Title 23 (Domestic Relations) to provide for temporary guardianship of a minor when a custodial parent enters a rehabilitation facility for treatment of drug and alcohol addiction, or has been subject to emergency medical intervention due to drug or alcohol abuse.

[ACT 89](#) (HB 2133, P.N. 3817; October 23, 2018) – Establishes the Kinship Care Navigator Program in the Department of Human Services, including a website and toll-free hotline to offer resources to individuals with temporary custody of minors.

[ACT 91](#) (HB 26, P.N. 4146; October 24, 2018) – Amends Title 75 (Vehicles) to authorize several new special license plates. Further clarifies that the optional \$5 vehicle registration fee available to counties under Act 89 of 2013, is an annual fee regardless of whether the registration itself is single or multi-year.

[ACT 94](#) (HB 149; P.N. 4251; October 24, 2018) – Amends Title 18 (Crimes) to prohibit the use of an audio or visual recording device within a judicial or adjacent facility without the approval of the court or providing judicial officer.

[ACT 98](#) (HB 544, P.N. 4273; October 24, 2018) – Expands landowner liability protections for injuries caused by recreational users of their properties to include bridges, fishing piers and any activity undertaken for exercise, sport, education, recreation, relaxation or pleasure.

[ACT 106](#) (HB 1233, P.N. 4252; October 24, 2018) – Amends the Mental Health Procedures Act to update the standards for assisted outpatient treatment for seriously mentally ill individuals. Allows the county mental health administrator to annually determine whether the county mental health and intellectual disabilities program will provide assisted outpatient treatment, and requires the Secretary of Health to grant a waiver to any county that requests it.

[ACT 109](#) (HB 1511, P.N. 4253; October 24, 2018) – Amends the Tax Reform Code to clarify that state and county hotel taxes collected by booking agents must be collected on the full amount charged to a customer rather than the discounted wholesale rate.

[ACT 111](#) (HB 1840, P.N. 3802; October 24, 2018) – Amends the Workers Compensation Act to clarify guidelines to be used for determining impairment levels of injured employees in response to the state Supreme Court’s 2017 decision in *Protz v Worker’s Compensation Appeals Board*.

[ACT 127](#) (SB 299; P.N. 1849; October 24, 2018) – Amends the Election Code to remove requirements for incumbent magisterial judges to file nominating petitions, instead allowing for the filing of a certificate of nomination reflecting intent to seek reelection to office.

[ACT 154](#) (SB 1005, P.N. 2026; October 24, 2018) – Updates and combines the County Code and Second Class County Code into a single, comprehensive statute, bringing language up to date with current need and practice.

[ACT 155](#) (SB 1007, P.N. 1396; October 24, 2018) – Amends the County Consolidated Assessment Law to update and clarify provisions related to assessment appeals, including types of corrections that can be made during informal reviews, deadlines and information that must be provided to property owners related to the appeals process. Further requires all members of permanent and auxiliary assessment appeals boards to be trained in assessment issues.

[ACT 156](#) (SB 1078, P.N. 1560; October 24, 2018) – Amends the Sunshine Law (Title 64) to add an executive session option for the purpose of developing and reviewing plans related to security and emergency preparedness.

Appropriations Bills

[ACT 1A](#) (HB 2121, P.N. 3747; June 22, 2018) – The Commonwealth general fund appropriation act for FY 2018-2019.