



PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS

## **Act 15 of 2020** (SB 841 PN 1623)

### **Summary:**

- Act 15 of 2020 allows municipalities, for the duration of a statewide emergency declaration, to conduct business through telecommunication devices provided they allow all members to hear and make comments on issues and allow for public participation to the maximum extent available.
- Act 15 “freezes” any and all applications that may be pending approval or deemed approved from the signing of the Governor’s emergency declaration and tolls them for 30 days or until May 20, 2020.
- Local governments are authorized to extend the discount period for local property taxes and waive all fees and penalties associated with them as long as the taxes were paid in full by December 31, 2020.
- Notaries are authorized to notarize documents electronically via audiovisual communication.
- Act 15 reauthorizes the Pennsylvania Health Care Cost Containment Council, which is responsible for collecting and analyzing data about the cost and quality of health care in the state and making recommendations to reduce the cost of care. They would be responsible for preparing a report on the effect of the COVID-19 disaster emergency on healthcare facilities, including expenses and lost revenue during the crisis to determine additional financial assistance.

### **Analysis of provisions pertinent to townships:**

#### **Local Government Meetings**

An agency, department, authority, commission, board, council, governing body or other entity of a political subdivision may conduct hearings, meetings, proceedings or other business through the use of an authorized telecommunications device until the expiration or termination of the COVID-19 disaster emergency.

**Quorum:** A hearing, meeting, proceeding or other business conducted through an *authorized telecommunications device* shall not require the physical presence at a meeting location of a quorum of the participating members if a quorum is otherwise established by the participating members through the authorized telecommunications device.

**Authorized telecommunications device:** Any device which permits, at a minimum, audio communication between individuals.

**Advance notice:** To the extent practicable, an agency, department, authority, commission, board, council, governing body or other entity of a political subdivision shall post advance notice of each meeting conducted on the entity's publicly accessible internet website, if any, in an advertisement in a newspaper of general circulation, or both. Public notice shall include the date, time, technology to be used and public participation information as provided under subsection

**Public participation:** To the extent practicable, an agency, department, authority, commission, board, council, governing body or other entity of a political subdivision shall allow for public participation in a meeting, hearing, or proceeding through an authorized telecommunication device or written comments. Written comments may be submitted to the entity's physical address through U.S. mail or to an email account designated by the entity to receive the comments.

**Minutes:** The draft minutes of a meeting called under these circumstances, without advance notice to the public, to address any issue related to the governor's disaster emergency declaration related to covid-19 shall be posted within 20 days after the meeting or before the next regularly scheduled meeting, whichever is earlier.

## **Permit Tolling**

An agency, department, authority, commission, board, council, governing body or other entity of a political subdivision shall not consider any application, plat, plan, submission, appeal or curative amendment unrelated to the governor's declaration of disaster emergency related to COVID-19 during a meeting unless notice to the public and interested parties has been provided at least five days prior to the meeting via a post on the entity's publicly accessible internet website, if any, in a newspaper of general circulation, or both.

**Action:** For an action required by law in consideration of any application, plat, plan or other submission for an approval or for an action on an appeal or curative amendment, the following shall apply:

- For an approval, application, plat, plan, submission, appeal, or curative amendment received or pending as of the date of or during the governor's declaration of a disaster emergency related to COVID-19, the number of days provided to satisfy statutory time limits in review, hearing, and decision shall be suspended and tolled as of the date of the disaster or emergency declaration or as of the date received if received during the disaster or emergency declaration and shall resume May 20, 2020.
- Notification, in writing, shall be provided to each applicant subject to this section of the disaster or emergency, the time extension under this section and the right to a request as provided under this paragraph.
- A failure to receive the notice provided under this section shall not affect the tolling of the number of days provided to satisfy statutory time limits for review, hearing, and decisions.

Within 30 days of the effective date of this section, an applicant may request a meeting, hearing, or proceeding as may be required by law, and provisions governing the application, plat, plan,

submission, appeal, or curative amendment during the period of the disaster or emergency in accordance with this section.

The agency, department, authority, commission, board, council, governing body, or other entity of a political subdivision shall have discretion to proceed with a request.

If a proceeding is authorized, the applicant and each party receiving actual notice of the proceeding shall be deemed to waive any challenge to the proceedings under Title 65 Pennsylvania Consolidated Statutes Chapter 7 (*relating to open meetings*) or any other provision of law that governs the notice, conduct, or participation in a meeting or proceeding.

### **Property Tax Relief**

A taxing district may, by majority vote of the taxing district's governing body, do any of the following for the collection of a tax imposed on the assessed value of real property that would otherwise be due by December 31, 2020:

- (1) Collect the tax at the taxing district's prescribed discount rate, if any, no later than August 31, 2020.
- (2) Waive any fee or penalty otherwise associated with the late payment of the tax if paid in full by December 31, 2020.

**Resolution required:** any taxing district electing to exercise a power described above shall do so by resolution and shall deliver the adopted resolution to the tax collector for the taxing district by May 20, 2020.

**Signed:** April 20, 2020.

**Effective:** April 20, 2020.