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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1206 Session of  
2013

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INTRODUCED BY KAUFFMAN, METCALFE, SWANGER, BARRAR, MILLARD,  
KNOWLES, BLOOM, AUMENT, TALLMAN, CUTLER, MALONEY, ROCK, RAPP,  
C. HARRIS, CLYMER, HEFFLEY, MILLER, GINGRICH, STEVENSON, MOUL  
AND GROVE, APRIL 16, 2013

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 16, 2013

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AN ACT

1 Prohibiting the Commonwealth and local government units from  
2 taking certain actions relating to implementation of Agenda  
3 21 that infringe upon or restrict private property rights.

4 The General Assembly finds and declares that:

5 (1) Agenda 21 is a nonbinding, voluntarily implemented  
6 action plan of the United Nations that was drafted in 1992.

7 (2) Provisions of Agenda 21 pose a potential threat to  
8 private property rights in Pennsylvania. Paragraph 10.5 of  
9 the Agenda 21 document indicates that one of the plan's  
10 objectives is to "facilitate allocation of land to the uses  
11 that provide the greatest sustainable benefits."

12 (3) Private property rights are enshrined in both the  
13 Fifth Amendment to the United States Constitution and section  
14 1 of Article I of the Constitution of Pennsylvania.

15 (4) The United Nations has enlisted the support of  
16 independent, nongovernmental organizations, including the  
17 International Council for Local Environmental Initiatives, to

1 implement Agenda 21 around the world. The International  
2 Council of Local Environmental Initiatives has more than  
3 1,000 members representing cities, counties, regions, towns  
4 and other local government units, including several  
5 Pennsylvania municipalities.

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

8 Section 1. Prohibition on governmental action affecting certain  
9 private property rights.

10 (a) General rule.--Neither the Commonwealth nor a local  
11 government unit may:

12 (1) adopt or implement any policy, strategy, plan or  
13 process in furtherance of any recommended objectives and  
14 activities included in Agenda 21 that infringe upon or  
15 restrict private property rights in violation of the United  
16 States Constitution or the Constitution of Pennsylvania; or

17 (2) implement programs of, expend any funds for, be a  
18 member of, receive funding from, contract for services with  
19 or give financial or other forms of aid to the International  
20 Council for Local Environmental Initiatives, any of its  
21 related or affiliated organizations or any other  
22 nongovernmental or intergovernmental organizations in  
23 furtherance of the recommended objectives or activities  
24 included in Agenda 21.

25 (b) Definitions.--The following words and phrases when used  
26 in this section shall have the meanings given to them in this  
27 section unless the context clearly indicates otherwise:

28 "Agenda 21." The Agenda 21 plan adopted at the United  
29 Nations Conference on Environment and Development held in Rio de  
30 Janeiro, Brazil, June 1992.

1 "Local government unit." A county, city, borough,  
2 incorporated town, township, school district, vocational school  
3 district, county institution district, home rule municipality,  
4 local authority or any joint or cooperative body of local  
5 government units or any instrumentality, authority or  
6 corporation thereof which has authority to enter into a  
7 contract.

8 Section 2. Effective date.

9 This act shall take effect in 60 days.