

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1346 Session of
2024

INTRODUCED BY BARTOLOTTA, YAW, LANGERHOLC, PHILLIPS-HILL AND
DUSH, NOVEMBER 7, 2024

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, NOVEMBER 7, 2024

AN ACT

1 Amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated
2 Statutes, in unconventional gas well fee, further providing
3 for distribution of fee.

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

6 Section 1. Section 2314 of Title 58 of the Pennsylvania
7 Consolidated Statutes is amended by adding subsections to read:
8 § 2314. Distribution of fee.

9 * * *

10 (d.1) Prohibition and presumption.--

11 (1) Notwithstanding subsection (d)(2) and (3), the
12 commission shall not distribute revenue to any municipality
13 that maintains a zoning or other ordinance that unreasonably
14 limits or prohibits future development of unconventional
15 natural gas wells within the municipality as determined by
16 the commission.

17 (2) A municipality's zoning or other ordinance shall be
18 presumed to have unreasonably limited or prohibited future

1 development of unconventional natural gas wells if the
2 municipality has adopted or enacted a zoning or other
3 ordinance that imposes a standard or condition on well
4 development that conflicts with or exceeds those contained in
5 Chapter 32 (relating to development).

6 (d.2) Restricted account.--Upon notice to the commission
7 that a party has initiated litigation challenging the validity
8 of a zoning or other ordinance that the party alleges is in
9 violation of Chapter 32 or that unreasonably limits or prohibits
10 future development of unconventional natural gas wells, the
11 commission shall place any revenue otherwise due to a
12 municipality under subsection (d) (2) or (3) into a restricted
13 account maintained by the commission. No revenue shall be
14 distributed to the municipality until the conclusion of the
15 litigation.

16 * * *

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