

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 754 Session of 2023

INTRODUCED BY BROWN, HUTCHINSON, DUSH, KEARNEY AND COMITTA,
JUNE 1, 2023

REFERRED TO LOCAL GOVERNMENT, JUNE 1, 2023

AN ACT

1 Amending the act of July 31, 1968 (P.L.805, No.247), entitled
 2 "An act to empower cities of the second class A, and third
 3 class, boroughs, incorporated towns, townships of the first
 4 and second classes including those within a county of the
 5 second class and counties of the second through eighth
 6 classes, individually or jointly, to plan their development
 7 and to govern the same by zoning, subdivision and land
 8 development ordinances, planned residential development and
 9 other ordinances, by official maps, by the reservation of
 10 certain land for future public purpose and by the acquisition
 11 of such land; to promote the conservation of energy through
 12 the use of planning practices and to promote the effective
 13 utilization of renewable energy sources; providing for the
 14 establishment of planning commissions, planning departments,
 15 planning committees and zoning hearing boards, authorizing
 16 them to charge fees, make inspections and hold public
 17 hearings; providing for mediation; providing for transferable
 18 development rights; providing for appropriations, appeals to
 19 courts and penalties for violations; and repealing acts and
 20 parts of acts," in general provisions, providing for certain
 21 transmittals and submissions to governmental bodies.

22 The General Assembly of the Commonwealth of Pennsylvania
 23 hereby enacts as follows:

24 Section 1. The act of July 31, 1968 (P.L.805, No.247), known
 25 as the Pennsylvania Municipalities Planning Code, is amended by
 26 adding a section to read:

27 Section 110. Certain Transmittals and Submissions to

1 Governmental Bodies.--If this act requires a municipality,
2 including a county, to forward, send or submit a proposed
3 comprehensive plan or amendment or a proposed land use ordinance
4 or amendment for review, comments or recommendations, or an
5 adopted comprehensive plan, land use ordinance or amendment, the
6 proposed or adopted plan, ordinance or amendment may be
7 transmitted electronically. The transmittal may include an
8 electronic document or a link to a publicly accessible document
9 online, provided the electronic document is in PDF format or
10 similar standard which accurately reproduces the original. In
11 the event a document is required by this act to be certified,
12 the certification shall also be transmitted electronically. The
13 following shall apply:

14 (1) The municipality shall transmit documents to those
15 electronic contacts available and reasonably appropriate for
16 receipt of the documents. Failure of a governmental body or an
17 officer or agent of a governmental body to receive a good faith
18 transmittal provided in accordance with this paragraph may not
19 be grounds to challenge the effectiveness of a plan, ordinance
20 or amendment under this act.

21 (2) The municipality shall retain a written or electronic
22 record of every transmittal and all comments and recommendations
23 under paragraph (3).

24 (3) If an authorized transmittal is for comments or
25 recommendations under this act, the comments and recommendations
26 may be transmitted to the municipality electronically.

27 Section 2. Nothing in this act shall be deemed to invalidate
28 any electronic transmittal of plans, ordinances or amendments
29 made prior to the effective date of this section.

30 Section 3. This act shall take effect in 60 days.