



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 765

PRINTER'S NO. 863

PRIME SPONSOR: Comitta

COST / (SAVINGS)

FUND	FY 2024/25	FY 2025/26
General Fund	\$0	\$0

SUMMARY:

Senate Bill 765 makes several changes to the Borough Code to align it with the First-Class Township Code.

ANALYSIS:

Senate Bill 765 amends Title 8 – Boroughs and Incorporated Towns – of the Pennsylvania Consolidated Statutes.

In Chapter 10 – Powers and Duties of Elected Officials, the bill adds a provision stating that an auditor may not surcharge an elected official if the elected official acted in good faith based upon the written, nonconfidential opinion of the solicitor. Under current law, elected borough officials may be held financially responsible for losses incurred due to unlawful actions that were based upon the opinion of the `solicitor.

In Chapter 11 – Powers, Duties and Rights of Appointed Officers and Employees, the bill expands the statute to encompass professional services agreements in addition to employed individuals. An individual, partnership, limited partnership, association or professional corporation may act as borough manager. In the Civil Service for Police and Fire Apparatus Operators subchapter, the requirement for a civil service commission to meet on the first Monday of every even-numbered year is made more flexible by providing a 30-day window to meet.

In Chapter 13 – Taxation and Finance, the bill removes the requirement for the proposed budget to be available for at least 30 days before the adoption of the budget.

Senate Bill 765 would take effect in 60 days.

FISCAL IMPACT:

Senate Bill 765 will have no fiscal impact on commonwealth funds. There may be a fiscal impact to boroughs due to the prohibition on surcharging elected officials that acted in good faith based upon the opinion of the solicitor.

PREPARED BY: Sean Brandon, Assistant Executive Director
House Appropriations Committee (D)

DATE: October 7, 2024

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.