

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 284

PRINTER NO. 282

AMOUNT

No Fiscal Impact

FUND

General Fund
Historical Preservation Fund

DATE INTRODUCED

January 25, 2021

PRIME SPONSOR

Representative Metcalfe

DESCRIPTION AND PURPOSE OF BILL

House Bill 284 amends Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes to modernize the History Code with regard to the administration of the State Archives, archival records and other matters as follows:

- Removes a provision requiring the Historical and Museum Commission (HMC) to make an annual report on the Conservation Center, which it no longer operates;
- Removes provisions requiring the HMC to notify donors or their children or successors when disposing of non-beneficial items;
- Provides for the sale or disposal of abandoned property on loan to the HMC;
- Provides for the HMC to administer the State Archives and for the State Archives to be the official repository for permanent and historically valuable public records of the Commonwealth;
- Provides for the HMC to maintain and preserve state and local government records;
- Prohibits the sale or transfer of Commonwealth archival records unless authorized by law and provides for a civil penalty of not more than \$2,500 for violating this provision;
- Provides procedures by which the HMC may retrieve Commonwealth and local archival records held by unauthorized persons;
- Provides access to archival records 75 years or older, unless specifically prohibited by law;
- Allows for the HMC to lease residential property and increases the maximum term by which the HMC may enter into a lease from five (5) years to 25 years; and

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- Removes the following properties which have been transferred or sold to other entities: Cashiers House; David Bradford House; Fort Augusta; Fort Le Boeuf Museum; Governor Printz Park; John Brown House; Judson House; McCoy House; Nathan Denison House; Old Brown’s Mill School; Old Custom House; Old Mill Village; Pottsgrove Mansion; Robert Fulton Birthplace; Sodom School House; Tuscarora Academy and Warrior Run Church and Cemetery.

The legislation is scheduled to take effect in 60 days.

FISCAL IMPACT:

According to the Historical and Museum Commission, the enactment of House Bill 284 will have no fiscal impact on Commonwealth funds.

Funds from the sale of items that do not contribute to HMC’s mission including abandoned property that is ultimately deaccessioned would be deposited in the Historical Preservation Fund for use by the HMC for collection acquisition and conservation purposes. The HMC has indicated that it has not valued its non-contributing items or abandoned property. Its policy is to deaccession items when it reviews specific collections for relevancy, and it makes every effort to place items of significance that are being deaccessioned at institutions that are able to utilize the items at no cost rather than sell them at auction. Therefore, it is unlikely that the provisions contained in the legislation will generate substantial revenue to support collection acquisition or conservation purposes.

During the last 10-year period, auctions that have been held to deaccession artifacts have generated a total of \$211,059. The auctions occurred on December 5, 2013 (\$22,618), July 30, 2015 (\$64,980), October 16, 2017 (\$14,895), and September 14, 2019 (\$101,190). In addition, \$7,376 in revenue has been generated through rolling online auctions conducted between 2020 and 2022.