
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2147 Session of
2024

INTRODUCED BY FLEMING, MADSEN, SANCHEZ, FREEMAN, DONAHUE,
MALAGARI, HILL-EVANS, SHUSTERMAN, GREEN, KIM, DALEY, STURLA,
BOROWSKI AND SCOTT, MARCH 25, 2024

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 25, 2024

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in municipal authorities, further
3 providing for definitions and for purposes and powers.

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

6 Section 1. Section 5602 of Title 53 of the Pennsylvania
7 Consolidated Statutes is amended by adding a definition to read:
8 § 5602. Definitions.

9 The following words and phrases when used in this chapter
10 shall have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 * * *

13 "Impervious surface." As follows:

14 (1) An area, material, structure, surface or improvement
15 that does not allow or that reduces or prevents infiltration
16 of water into soil.

17 (2) The term includes:

18 (i) Compacted dirt, gravel, concrete or asphalt.

1 (ii) A roadway, sidewalk, parking lot, driveway,
2 patio, roof, garage or storage shed.

3 * * *

4 Section 2. Section 5607(d)(34) of Title 53 is amended to
5 read:

6 § 5607. Purposes and powers.

7 * * *

8 (d) Powers.--Every authority may exercise all powers
9 necessary or convenient for the carrying out of the purposes set
10 forth in this section, including, but without limiting the
11 generality of the foregoing, the following rights and powers:

12 * * *

13 (34) In the case of an authority that performs storm
14 water planning, management and implementation, to charge or
15 impose reasonable and uniform rates [may be based in whole or
16 in part on property characteristics, which may include
17 installation and maintenance of best management practices
18 approved and inspected by the authority.] to owners of
19 property that benefit from the services. The following apply:

20 (i) The rates may be based in whole or in part on
21 property characteristics, which may include the measure
22 of a property's impervious surface as determined by the
23 authority or the installation and maintenance of best
24 management practices approved and inspected by the
25 authority.

26 (ii) All properties containing an impervious surface
27 are presumed to benefit from an authority's storm water
28 planning, management and implementation.

29 (iii) The rates may be charged by one or a
30 combination of the following methods:

1 (A) On all properties located in the service
2 area of the authority.

3 (B) On all properties that are served by or
4 benefit from a specific storm water project or plan.

5 (C) By establishing a storm water management
6 district and charging the rate on the owners of all
7 properties within the district.

8 (iv) The rates may be charged or imposed on the
9 Commonwealth or a department, board, commission or
10 instrumentality of the Commonwealth for property owned by
11 the Commonwealth or the department, board, commission or
12 instrumentality of the Commonwealth.

13 (v) An entity otherwise exempt from taxation shall
14 not be excused from payment of the rates solely on the
15 basis of the tax-exempt status of the entity.

16 * * *

17 Section 3. This act shall take effect immediately.