



# The Pennsylvania Letter

A selective report on legislative, regulatory and executive actions affecting business interests

## NEW LEGISLATION

Volume 17 Number 12  
January 15, 2015

At 3:06 p.m. on Tuesday, January 6, 2015 the Senate stands in recess until Tuesday, January 20, 2015 at 10:00 a.m., unless sooner recalled by the President Pro Tempore.

At 12:09 p.m. on Wednesday, January 14, 2015 the House met briefly in non-voting session and now stands adjourned until Tuesday, January 20, 2015 at 11:00 a.m., unless sooner recalled by the Speaker.

### UPCOMING SESSION DAYS

#### House

Jan 20, 21, 26-28  
Feb 2-4, 9-11, 23-25  
March 2-4, 30, 31  
April 1, 13-15, 20-22  
May 4-6, 11-13  
June 1-3, 8-10, 15-18, 22-30

#### Senate

Jan 20-22, 26-28  
Feb 2-4, 17, 18, 23-25  
March 2-4  
April 13-15, 20-22  
May 4-6, 11-13  
June 1-3, 8-10, 15-18, 22-26, 29, 30

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### SB 21 Greenleaf, Stewart (R)

(PN 6) Amends the Mental Health Procedures Act by adding an article entitled "Assisted Outpatient Treatment." The article requires the secretary of the Department of Public Welfare to appoint program coordinators of assisted outpatient treatment, who shall be responsible for the oversight and monitoring of assisted outpatient treatment programs established pursuant to the assisted outpatient treatment program. The bill establishes duties and responsibilities of county administrators and directors of assisted outpatient treatment programs. The article includes further rules relating to petitions, appeals, construction and educational materials. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to Senate Public Health and Welfare**

### SB 22 Greenleaf, Stewart (R)

(PN 7) Amends the Unfair Trade Practices and Consumer Protection Law further providing for dog purchaser protection by increasing certain timeframes in the law. Additionally, the bill states a dog shall not be found unfit for purchase because of veterinary findings of intestinal or external parasites unless the dog is clinically ill or dies due to the condition; on account of injury sustained or illness most likely contracted subsequent to the date of sale; or because of a health problem which, in addition to a health certificate or guarantee of good health required, is separately disclosed by the seller in writing at the time of sale. The bill also details required health disclosures from releasing agencies in a pet adoption. Effective in 60 days

**Jan 14, 2015 - S-Introduced and referred to Senate Consumer Protection & Prof. Licensure**

### SB 25 Greenleaf, Stewart (R)

(PN 10) Amends the Police Officer, Firefighter, Correction Employee and National Guard Member Child Beneficiary Act extending benefits to surviving spouses of emergency medical services personnel, state parole agents, county probation and parole officers, sheriffs, and deputy sheriffs. The act is retroactive to January 1, 2013, and the benefit provided shall be available to qualified surviving spouses of police officers, firefighters, emergency medical services personnel, correction employees, state parole agents, county probation and parole officers, sheriffs, and deputy sheriffs and National Guard members of Pennsylvania killed in the performance of their duties since that date. No community college, state-owned or state-related institution shall reimburse qualified surviving spouses for tuition and fees or room and board charges paid between January 1, 2015, and the effective date of the paragraph. Effective immediately.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Education**

### SB 26 Greenleaf, Stewart (R)

(PN 11) The Volunteer Emergency Service Tuition Credit Program Act authorizes a person who is an active member of a volunteer fire company, volunteer ambulance service, or volunteer rescue squad in good standing and the dependent children and spouse of such volunteer to enroll in postsecondary courses on a tuition-credit basis in a community college. A volunteer and the volunteer's dependent children and spouse would be eligible to receive tuition credit in the aggregate amount of \$600 per year, not to exceed an aggregate maximum of \$2,400 over a four-year service period. In order to receive a tuition credit, the volunteer would agree to serve as a member of a volunteer fire company, volunteer ambulance service, or volunteer rescue squad for a minimum of four years and sign an agreement with the volunteer organization pledging four years of service in exchange for the tuition credit. Effective in 30 days

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Education**

**SB 27 Greenleaf, Stewart (R)**

(PN 12) The Volunteer Emergency Service Personnel Educational Assistance and Loan Forgiveness Act creates the Educational Assistance and Loan Forgiveness Program to provide grants to receive payments by PHEAA for debt incurred as a result of student loans entered into for the purpose of pursuing programs of education. To be eligible for the program, an applicant must be: (1) a qualified resident of Pennsylvania; (2) an active member of a volunteer fire company, emergency service team or rescue team for a period of at least one year in Pennsylvania; (3) enrolled as a student in an approved program of education at an approved institution of higher learning; and (4) provide the approved institution of higher learning with a sworn or official statement of fact by the state fire commissioner, or president or commissioner of a volunteer fire department of which the applicant is a volunteer, attesting that the applicant is a member in good standing of the volunteer fire company, emergency service team or rescue team. Grants for part-time students would not exceed one-half the tuition of the part-time course of study in which the part-time student applicant is enrolled and grants for full-time students would not exceed \$3,700 per academic year or the actual amount of the applicant's tuition for the academic year. For each year that an applicant is a member of a volunteer fire company, emergency service team or rescue team, PHEAA may forgive a proportional part of the applicant's loan so that the loan may be entirely forgiven over a maximum period of five years in which the applicant is attending an approved institution of higher learning. No more than \$2,000 would be forgiven in any year. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Education**

**SB 30 Greenleaf, Stewart (R)**

(PN 14) Amends the Tax Reform Code, in personal income tax, stipulating a self-employed taxpayer may exclude one-half of self-employment taxes to the extent allowable under the Internal Revenue Code. Effective immediately and the amendment of section 303 (a) (2) shall apply to the taxable years beginning after December 31, 2014. Effective immediately.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Finance**

**SB 33 Williams, Anthony (D)**

(PN 17) The Intercollegiate Student Athlete Rights Act requires Pennsylvania colleges and universities with media revenues over \$10 million annually to provide comprehensive medical insurance coverage to student athletes beyond the NCAA-mandated minimum catastrophic insurance. Allows a student athlete to retain rights to his or her name and likeness for any purpose that is not directly related to the team, the school or the athletic associations. Also allows student athletes at PASSHE and state-related universities to form collective bargaining units to negotiate pay and benefits. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Education**

**SB 37 Williams, Anthony (D)**

(PN 20) Amends the Tax Reform Code establishing a tax credit for new jobs for unemployed veterans. A tax credit of \$1,200 would be available to a company for the hiring of a short-term unemployed veteran, defined as a veteran who has been unemployed for less than six months; and a \$2,400 tax credit for a long term unemployed veteran, defined as a veteran who has been unemployed for at least six months. The tax credits may be combined by a company but may not exceed \$4,800. Effective in 60 days

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Finance**

**SB 38 Williams, Anthony (D)**

(PN 21) The Veterans' Homeownership Assistance Act establishes the Veterans' Homeownership Assistance Program to award financial assistance to qualified veteran applicants who are first-time homebuyers in the form of grants, no-interest forgivable loans, or deferred loans. The act provides for the application and review process as well as guidelines for the program. The act appropriates \$2.5 million from the General Fund to the Pennsylvania Housing Finance Agency for the period of July 1, 2015, to June 30, 2016, no more than \$250,000 of which may be used for administrative costs. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Urban Affairs and Housing**



**SB 39 Williams, Anthony (D)**

(PN 22) Amends Title 23 (Domestic Relations), in support matters generally, further providing for information to consumer reporting agency by adding that an obligor who is subject to a support order may petition the court to direct the domestic relations section to provide periodic information to a consumer reporting agency. The bill makes related changes regarding general administration of support matters and expedited procedure. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Judiciary**

**SB 46 Williams, Anthony (D)**

(PN 26) The Equal Employment for All Act prohibits employers from using a consumer credit report in making a determination in whether to hire an applicant for employment. The legislation provides exceptions to this general rule and states a violation shall be considered an unlawful employment practice under the Pennsylvania Human Relations Act. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Labor and Industry**

**SB 49 Greenleaf, Stewart (R)**

(PN 29) Amends the Medical Care Availability and Reduction of Error (Mcare) Act, in insurance, by stipulating that beginning in 2014, a health care provider may elect to pay the annual assessment in equal installments, not exceeding four, if the health care provider informs the primary carrier of the election to pay in installments. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Banking and Insurance**

**SB 52 Greenleaf, Stewart (R)**

(PN 31) Amends Title 75 (Vehicles), in safety and anti-pollution equipment, to require tinted windows to be tested as part of the vehicle inspection process and certain violations with regard to tinted windows to be a cause for inspection failure. Failure to disclose that an alteration or modification of the tinted windows can be cause for inspection failure constitutes unfair trade practices by the automobile seller. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Transportation**

**SB 53 Greenleaf, Stewart (R)**

(PN 32) Amends the Oil and Gas Act to require disclosure to the landowner by gas companies that the landowner may be liable for damages done to other properties as a result of gas drilling. The design of the notice is given and the landowner must sign the additional sheet of paper relating to the disclosure. The department shall approve the disclosure form and all gas mineral rights leases shall indemnify the owner of the land from liability. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**

**SB 54 Greenleaf, Stewart (R)**

(PN 33) The Pennsylvania Office of Faith-Based and Neighborhood Partnerships Act establishes the Pennsylvania Office of Faith-Based and Neighborhood Partnerships within the Governor's Office and the Pennsylvania Advisory Commission on Faith-Based and Neighborhood Partnerships. The bill provides for the powers and duties of the office and commission. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate State Government**

**SB 55 Greenleaf, Stewart (R)**

(PN 34) The Prenatal and Postpartum Counseling and Screening Act requires a hospital, birthing center, physician, nurse-midwife, or midwife to provide to pregnant women, or at delivery, a fact sheet that includes common symptoms of the medical conditions of prenatal depression, postpartum depression, and postpartum psychosis and for emotional traumas associated with pregnancy and parenting. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Public Health and Welfare**

**SB 56 Greenleaf, Stewart (R)**

(PN 35) Amends Title 51 (Military Affairs), in Pennsylvania National Guard, establishing the National Guard Youth Challenge Program, which shall seek to improve the life skills and employment potential of youths who are 16 through 18 years of age by providing structured military-based training and supervised work experience, together with the program's core components of assisting participants with earning a high school diploma or its equivalent, leadership development, promoting fellowship and community service, developing life-coping skills and job skills and improving physical fitness and health and hygiene. The program shall include at least a 22-week residential program and a 12-month postresidential mentoring period. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Veterans Affairs & Emergency Prepared.**

**SB 57 Greenleaf, Stewart (R)**

(PN 36) Amends the Unfair Trade Practices and Consumer Protection Law further defining "unfair or deceptive acts or practices" to include failing to disclose to members of the consuming public a retail establishment's refund and exchange policy as to all merchandise exposed or offered for sale at retail, and failing to disclose to members of the consuming public that a retail establishment charges a restocking fee on a product it sells. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure**

**SB 58 Greenleaf, Stewart (R)**

(PN 37) Amends the Pharmacy Act to provide for the donation of unused prescription drugs. The Department of Health and Health Care Cost Containment Council shall develop a pilot program, consistent with the public health and safety, in which unused prescription drugs (other than controlled dangerous substances) may be donated from nursing facilities operated by the commonwealth to residents who are medically indigent. The program shall be reviewed after 18 months and a report submitted to the governor and General Assembly. Rules and regulations shall be adopted consistent with provisions in the bill and, in accordance with these rules and regulations, unused prescription drugs (other than dangerous controlled substances) shall be donated to medically indigent residents of commonwealth-operated nursing facilities. Liability is waived in certain instances and "medically indigent" is defined as "a person with no health insurance or otherwise lack a reasonable means to purchase prescribed medications." Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure**

**SB 60 Greenleaf, Stewart (R)**

(PN 39) The Safe Ride Home Grant Pilot Program Act establishes a pilot program to provide safe transportation home to persons suspected of having a prohibited blood alcohol concentration. The Liquor Control Board may award grants to any county, municipality, university or nonprofit corporation, establish an application procedure for those eligible to participate in the pilot program, monitor and evaluate the program and, upon the conclusion of the 2015-2016 fiscal year, present a report of the evaluation to House and Senate committees. The program shall be funded by a \$5 surcharge levied upon conviction of 75 Pa.C.S. 3802 (relating to driving under influence of alcohol or controlled substance). The act shall take effect immediately and expire on July 1, 2018.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Law and Justice**

**SB 61 Greenleaf, Stewart (R)**

(PN 40) Amends Title 75 (Vehicles), in operation of vehicles, adding that the section providing for drivers of emergency vehicles in no way restricts the operation of a pedalcycle used by a bike medic during the course of performing official duties. "Bike medic" is defined in the bill. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Transportation**

**SB 63 Greenleaf, Stewart (R)**

(PN 42) Amends "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," to provide a definition for "expunge" or "expungement" and to provide the Bureau of Professional and Occupational Affairs the power to expunge a record based upon certain enumerated conditions. The Commissioner of Professional and Occupational Affairs has the authority and duty to adopt a schedule of civil penalties for operating violations. Effective in 60 days

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure**





**SB 64 Greenleaf, Stewart (R)**

(PN 43) Amends Title 58 (Oil and Gas), in unconventional gas well fee, to require \$2 million of the natural gas severance fee to go to the Department of Health for the establishment of a population-based health registry. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**

**SB 66 Greenleaf, Stewart (R)**

(PN 45) Amends Title 75 (Vehicles) requiring seats on each bus to be equipped with retractable seat belts that passengers must wear. Effective in 90 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Transportation**

**SB 67 Greenleaf, Stewart (R)**

(PN 46) Amends the Tax Reform Code establishing the Child-Care Tax Credit Act for the purpose of providing tax credits to an eligible business firm that operates its own child-care program which has been issued a valid license by the Department of Human Services. The bill provides for the calculation of credit, and delineates taxes against which the credit may be taken. The bill also grants powers and duties to the secretary of the Department of Revenue with regard to the act. Effective immediately and shall apply to the taxable years beginning after December 31, 2014.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Finance**

**SB 68 Greenleaf, Stewart (R)**

(PN 47) The School-based Child-care Assistance Act authorizes the Department of Education to establish a statewide program to support and guide public and private schools in Pennsylvania in the establishment of extended school day child-care programs for school-age children; defining eligibility; and further providing for the powers and duties of the Department of Human Services. The Department of Education is required to provide grants to school districts and private schools for each school-age child enrolled in the school district's or private school's extended school day child-care program. The amount of the grant for each child shall be based on the total amount appropriated for that program divided by the total number of school-age children enrolled in school-based child-care programs throughout Pennsylvania. The department would annually evaluate extended school day child-care programs to determine the level of participation in the programs. The legislation also provides for school contracts with providers and requires that in contracting with a provider, the school district or private school shall give priority to not-for-profit child-care providers. Effective July 1, 2015, or immediately, whichever is later.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Education**

**SB 73 Alloway, Richard (R)**

(PN 51) Amends the Tax Reform Code, in malt beverage tax, to provide for a tax credit for certain small breweries for qualifying capital expenditures made after January 1, 2010. No credit shall be allowed for taxes due before January 1, 2015, and a credit shall not be taken for capital expenditures before December 31, 2009. Effective July 1, 2015, or immediately, whichever is later.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Finance**

**SB 77 Alloway, Richard (R)**

(PN 53) Amends Title 34 (Game) lowering the acreage requirement for dog training areas from 100 acres to 50 acres minimum. Removes the requirement to obtain a special permit to lawfully trap and hunt furbearers on club grounds and adds language providing the hunting or trapping of furbearers or other protected game animals may only occur during seasons established by the Game Commission. Further provides a person may not hunt big game on a dog training area without permission from the permittee unless the area is conspicuously posted open to the public for big game hunting. Also adds language requiring a roadway, vehicle entrance or pedestrian pathway entering or bordering a dog training area to be posted prior to October 1 of each year with either a legible notice to warn a trespasser of the purpose of the area or by legible no trespassing signs endorsed by the permittee. Also requires the endorsement to note the purpose of the area. Also provides for unlawful acts. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Game and Fisheries**



**SB 78 Alloway, Richard (R)**

(PN 54) Amends the Dog Law to provide a definition of “immediate family” to require the Department of Agriculture to refuse to issue a license to a person who is a member of the immediate family of a convicted person who seeks to operate a kennel at the same location as the convicted person unless the family member shows by clear and convincing evidence that the convicted person will have no ownership interest in the kennel and play no role in the care of the dogs or management of the kennel. Further provides that if the secretary subsequently determines that the convicted person does have ownership interest, cares for the dogs or manages the kennel, the license to operate the kennel shall be permanently revoked.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Agriculture and Rural Affairs**

**SB 80 Greenleaf, Stewart (R)**

(PN 56) The Municipal Land Bank and Affordable Housing Act authorizes the establishment of land bank programs and affordable housing programs in municipalities with the approval of the electorate; provides for funding by proceeds from tax on the transfer of real property; specifies the purposes of the programs; and provides for the termination of a land bank program or affordable housing program. Money in a land bank fund shall be used by the municipality for the acquisition and maintenance of open-space land and interests in open-space land within the municipality and for related administrative expenses, including, but not limited to, expenditures for engineering, legal and appraisal services and for the repayment of debts incurred through the issuance of bonds. Money deposited in an affordable housing fund and interest earned on money deposited in this fund shall be used solely for the purpose of making grants to nonprofit organizations, housing authorities and redevelopment authorities for affordable housing purposes. Effective immediately.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Urban Affairs and Housing**

**SB 81 Greenleaf, Stewart (R)**

(PN 57) Amends Title 68 (Real and Personal Property) repealing Chapter 75 relating to home inspections; adding Chapter 75a providing for home inspections; establishing the Pennsylvania Board of Home Inspectors within the Bureau of Professional and Occupational Affairs in the Department of State to oversee the licensure and regulation of home inspectors; providing for licensure of home inspectors and for disciplinary proceedings by the Pennsylvania Board of Home Inspectors; providing for contents of home inspection reports; requiring home inspectors to maintain professional liability insurance; and making an appropriation of \$85,000 from the Professional Licensure Augmentation Account to the Department of State for the payment of associated costs. The board shall promulgate regulations within 18 months. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure**

**SB 84 Greenleaf, Stewart (R)**

(PN 60) The Credit Blocking Regulation Act imposes limitations on credit blocking by the retail industry and providers of travel services; establishes a ceiling amount of 20 percent of the purchase on the amount of credit allowed to block; prescribes a fixed time period of not longer than 72 hours to block a certain amount in a consumer’s account or line of credit; and providing for enforcement. Effective immediately.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure**

**SB 85 Greenleaf, Stewart (R)**

(PN 61) Amends the Conservation and Natural Resources Act, in the Department of Conservation and Natural Resources, adding that parks have the power and duty to designate or construct and maintain, at any State park of 1,000 acres or more, a bicycle and jogging path at least one mile in length. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**

**SB 86 Greenleaf, Stewart (R)**

(PN 62) Amends the Conservation and Natural Resources Act requiring the department to compile an inventory of all rivers, streams and lakes in Pennsylvania to identify current boating, canoeing, rafting and other recreational activities, including water levels and related water conditions, for the purpose of making the information available to the public in published form. The Water Recreation Advisory Board is established to assist the Department of Conservation and Natural Resources (DCNR) in identifying water resources for recreational activities and in compiling the inventory required. Effective in 60 days

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**



**SB 87 Boscola, Lisa (D)**

(PN 63) Amends Title 4 (Amusements) to direct the Commonwealth's table game tax revenues into the Property Tax Relief Fund in order to provide additional tax relief to local property taxpayers. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Community, Economic & Recreational Dev**

**SB 94 Boscola, Lisa (D)**

(PN 70) Amends Title 75 (Vehicles) adding language requiring any driver of a motor vehicle with a registered gross weight exceeding 48,000 pounds that is a truck tractor or combination being operated on any street or highway of the Commonwealth to make all reasonable efforts to remove all accumulated ice or snow from the motor vehicle, including the roof of the truck trailer or a vehicle in the combination. Any person who does not is subject to being pulled over and paying a fine of \$25-\$75. If snow or ice dislodges from the motor vehicle and causes death serious bodily injury, the maximum fine is increased to \$1,500 for each violation. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Transportation**

**SB 122 Greenleaf, Stewart (R)**

(PN 71) Amends the Liquor Code, in licenses and regulations, further providing for the sale of certain containers of malt or brewed beverages by distributors and importing distributors. The bill requires distributors or importing distributors to require a purchaser of malt or brewed beverages in a container containing 128 fluid ounces (commonly, a "beer keg") or more to provide certain information. Additionally, the distributor shall affix an identification tag to the container and shall maintain records on the purchase. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Law and Justice**

**SB 123 Greenleaf, Stewart (R)**

(PN 72) Amends the Automobile Lemon Law changing the name of the law to the Motor Vehicle Lemon Law and expanding the law to include personal watercraft and boats. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure**

**SB 124 Greenleaf, Stewart (R)**

(PN 73) Amends Title 75 (Vehicles), in inspection of vehicles, further providing for requirement for periodic inspection of vehicles by adding that the system of annual safety inspection shall provide that the certificate of inspection on a new vehicle expire at the end of the 12th month following the expiration of the initial registration of the vehicle by the consumer. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Transportation**

**SB 131 Gordner, John (R)**

(PN 78) The Arrest Record for Employment Act prohibits an employer from asking a prospective employee whether that person has ever been arrested when the arrest resulted in the charges being withdrawn or if there was a not guilty verdict. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Labor and Industry**

**SB 135 Greenleaf, Stewart (R)**

(PN 82) The Emergency and Law Enforcement Officer Hepatitis B Inoculation Act would create a statewide program through the Department of Health for the prevention, including inoculations, screening, diagnosis, treatment and medical and environmental follow-up of cases, of hepatitis B for State and local law enforcement officers, firefighters, paramedics, emergency medical technicians, ambulance attendants, first responders and health professionals. The Department would have to provide financial support to government agencies to provide screening diagnostic, treatment, educational and follow-up services and file an annual report detailing the number of individuals found to have hepatitis B. Effective immediately.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Public Health and Welfare**

**SB 136 Greenleaf, Stewart (R)**

(PN 83) Amends Title 75 (Vehicles), in accidents and accident reports, further establishing a duty to stop vehicles at accident scenes by creating an exemption for emergency vehicles. The driver of an emergency vehicle involved in an accident when responding to an emergency call shall comply with the following provisions: Section 3742 (relating to accidents involving death or personal injury); Section 3743 (relating to accidents involving damage to attended vehicle or property); Section 3744 (relating to duty to give information and render aid); and Section 3745 (relating to accidents involving damage to unattended vehicle or property). The driver of a fire department vehicle, police department vehicle, ambulance, rescue or emergency medical services vehicle may leave the scene of the accident to respond to the initial emergency or continue to transport a victim of the initial emergency if the driver determines that it is reasonable and appropriate to do so, and the requirements of sections 3742, 3743, 3744 and 3745 can be fulfilled by a person acting on behalf of the driver or the driver's radio communication with the police, fire, rescue or similar agency which will respond to the accident. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Transportation**

**SB 137 Greenleaf, Stewart (R)**

(PN 84) The Restroom Access Act requires a retail establishment that has a toilet facility for its employees to allow a customer to use that facility during normal business hours if all of the following apply: (1) The toilet facility is not located in an area where providing access would create an obvious health or safety risk to the customer or an obvious security risk to the retail establishment; (2) A public restroom is not immediately accessible to the customer; and (3) The customer provides the retail establishment with evidence that the customer uses an ostomy device or suffers from an inflammatory bowel disease, such as Crohn's disease, ulcerative colitis or any other medical condition that requires immediate access to a toilet facility, by providing documentation in writing by the customer's physician or an identification card that is issued to the customer by a nonprofit organization whose purpose includes serving individuals who suffer from such disease or condition. Effective immediately.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Consumer Protection & Prof. Licensure**

**SB 138 Greenleaf, Stewart (R)**

(PN 85) The Donated Services and Equipment Tax Credit Act allows a corporation to take a tax credit for equipment or services donated to a college or school entity in a taxable year. Calculation procedure for the credit is provided along with definitions. Effective in 90 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Finance**

**SB 139 Greenleaf, Stewart (R)**

(PN 86) Amends the Tax Reform Code, in sales and use tax, by adding that "sale at retail" shall not include the resale of items purchased for resale by schools, school-related organizations and nonprofit associations supporting or sponsoring sports programs. The bill provides for definitions. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Finance**

**SB 141 Greenleaf, Stewart (R)**

(PN 88) Amends Title 68 (Real and Personal Property), in seller disclosures, requiring the real estate seller disclosure form to disclose the property's location in a flood zone or wetlands area and the property's flood history including the frequency and the extent of flooding. Effective immediately.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Urban Affairs and Housing**

**SB 142 Greenleaf, Stewart (R)**

(PN 89) Amends the Landlord and Tenant Act requiring the disclosure of flood history to lessees of residential real property. Effective in 120 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Urban Affairs and Housing**



**SB 143 Greenleaf, Stewart (R)**

(PN 90) The Service Contract Act details the requirements and procedure under which a service contract may be sold. An administrator may be appointed and registration must be made with the Insurance Commissioner. The bill also requires the performance of certain performance obligations in order to ensure the provider fulfills its obligation to the contractholder. Return of the contract is provided for and the fees collected are not subject to premium taxes. Reimbursement insurance policies are provided for and required disclosures are detailed. Certain prohibitions and record-keeping requirements are detailed. The obligation of reimbursement insurance policy insurers is provided and enforcement provisions given. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Banking and Insurance**

**SB 144 Greenleaf, Stewart (R)**

(PN 91) The Tobacco Cessation Treatment Act requires every health care plan in the commonwealth to provide coverage for tobacco cessation programs that follow the Public Health Service-sponsored 2008 clinical practice guideline, "Treating Tobacco Use and Dependence: 2008 Update," or its successors. The bill provides for coverage and states no copayment shall be allowed for the services. No patient shall be required to undergo counseling to receive medication for tobacco cessation treatments and no prior authorization is allowed to be imposed to participate in a cessation

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Banking and Insurance**

**SB 145 Yaw, Gene (R)**

(PN 92) Amends Title 58 (Oil and Gas) providing for lease extended by production by adding that any portion of land subject to a lease, which is combined with other lands or leases to form a unit, shall be subject to operations and production on and in the unit. The operations and production shall continue a lease in force and effect during or after the primary term according to the lease provisions only as to that portion of the leased land which is included in the unit. Any land covered by a lease and not included in the unit shall not be subject to operations or production on or in the unit. The lease may be kept in force in any manner provided in the lease agreement for leased land not included in an agreement. The bill provides for applicability and definitions. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**

**SB 147 Yaw, Gene (R)**

(PN 94) Amends the Oil and Gas Lease Act defining "lessee," "lessor," and "joint venture"; further providing for payment information to interest owners by requiring a unique property identification; provides for accumulation of proceeds from production by adding that proceeds shall be paid within 60 days, but proceeds from oil and gas may be remitted quarterly for accumulation of proceeds totaling less than \$100; further provides for conflicts; adds language providing for joint ventures; and provides for a lessor to inspect the records of a lessee. The bill outlines the procedure for inspections for records and provides for confidentiality. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**

**SB 148 Yaw, Gene (R)**

(PN 95) The Natural Gas Lease Anti-Retaliation Act provides protection for a lessor of natural gas rights who reports a violation or suspected violation of a contractual agreement and for remedies and penalties. No lessee may retaliate by ceasing development or production or take other reprisals against a lessor because the lessor takes a good faith action. The bill provides for remedies and enforcement. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**

**SB 149 Yaw, Gene (R)**

(PN 96) Amends the Pennsylvania Prevailing Wage Act to further provide for the definition of "public work" by increasing the dollar threshold from \$25,000 to \$185,000 for the total estimated cost of the project. Effective in 60 days.

**Jan 14, 2015 - S-Introduced and referred to committee on Senate Labor and Industry**



**SB 161 Greenleaf, Stewart (R)**

(PN 97) Amends Title 42 (Judiciary and Judicial Procedure) by adding that a hospital is not subject to civil liability arising from the nature or condition of medicine, medical supplies, and equipment which were reasonably believed to be in good condition and donated by the hospital in good faith for humanitarian assistance. The legislation shall not apply to an injury or death to a person that results from an act or omission of a hospital constituting gross negligence, recklessness or intentional misconduct. The legislation may not be construed as establishing any liability. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Judiciary**

**SB 165 Greenleaf, Stewart (R)**

(PN 101) Amends Title 42 (Judiciary and Judicial Procedure) by creating the Court Reporting Contract Act which states that contracts between a court reporter or court reporting firm and a party to a case or their representative cannot contain provisions that undermine the impartiality of the reporter, require the court reporter to provide any service to a party to the legal proceeding not offered to the other parties, or give advantage to one party over another. An exception is provided for contracts involving a court, agency, or instrumentality of the United States. Damages are provided for in that a private action can be brought against the parties to the contract in order to recover up to three times the actual damages suffered or \$100, whichever is greater. A court can also award injunctive relief and attorney's fees to the party that prevails in the suit. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Judiciary**

**SB 169 Boscola, Lisa (D)**

(PN 105) Amends the Public Employee Pension Forfeiture Act adding to the definition of "crimes related to public office or public employment" a violation committed under section 13(a)(14), (30) or (37) of The Controlled Substance, Drug, Device and Cosmetic Act, when the criminal offense is committed by a school administrator or teacher on school property. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Finance**

**SB 177 Greenleaf, Stewart (R)**

(PN 111) Amends the act entitled "An Act relating to confidentiality of Social Security numbers; and making a related repeal," to make it unlawful for any private, state, or local entity to refuse to do business with a person for the person's failure to disclose their Social Security number. Additional exceptions are provided for when the Social Security number is used for employment or tax compliance purposes. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Communications and Technology**

**SB 180 Greenleaf, Stewart (R)**

(PN 112) Amends Title 20 (Decedents, Estates & Fiduciaries) further providing for definitions and regulations for organ donation particular to prospective donors and prospective recipients. The legislation provides for organ donation procedure, for amendment or revocation of a donation offer, for rights and duties at death, for requests, and for identification and authorization. The legislation provides for donations to the Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund, for confidentiality and for prohibitions and the legislation provides for promotion of donations through a registry. The bill also details the effect of a donation on advance health care directive, for facilitation of gifts during investigation, for collaboration, information, and physician and nurse training. Also, the bill provides for uniformity and for electronic signatures as well as for corneal transplants. The amendment of 75 PA.C.S. 8621 shall take effect immediately and the remainder is effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Judiciary**

**SB 201 Schwank, Judy (D)**

(PN 113) Amends the PA Farmland and Forest Land Assessment Act to allow for roll-back taxes for the commercial activity owned and operated either by the landowner for the purpose of direct commercial sales of agriculturally reported products and activities or a party other than the landowner who enters a lease with the landowner for the operation of a rural enterprise. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Agriculture and Rural Affairs**

**SB 208 Greenleaf, Stewart (R)**

(PN 119) The Law Enforcement Officers' Bill of Rights Act provides for the rights of law enforcement officers by stating certain minimum standards would apply whenever a law enforcement officer is under interrogation. A law enforcement officer may initiate and maintain an action against any person or municipality for damages suffered or for the abridgment of civil rights when a complaint filed against the officer is found to be without merit or is made with the intent to cause damage or loss of employment. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Law and Justice**

**SB 209 Greenleaf, Stewart (R)**

(PN 120) Amends Title 42 (Judiciary) adding an exception to joint and several liability in civil actions and proceedings where a person under 18 years of age has a beneficial interest. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Judiciary**

**SB 214 Yaw, Gene (R)**

(PN 123) The Natural Gas Consumer Access Act provides each natural gas distribution utility to submit a plan to the Pennsylvania Public Utility Commission (PUC) within two years after a franchise territory is awarded that includes data on the service area. The commission will review the plan and implement periodic reviews of the distribution system. At the request of the natural gas distribution utility, the PUC shall maintain confidentiality of specific information deemed to be proprietary. Natural gas distribution utilities will also provide residential, commercial and industrial customers with customer contribution criteria for extension and expansion, as well as notifications of its distribution system extension and expansion plan and customer contribution criteria once a year. The bill provides for supplemental filing requirements, provisions related to customer contributions, and for definitions. Effective in 30 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**

**SB 215 Yaw, Gene (R)**

(PN 124) Amends the Alternative Energy Investment Act allocating \$15 million for grants to schools, hospitals, and small businesses to obtain access to natural gas. The grants can provide for up to 50 percent of the cost of the project. Priority will be given to applications that will result in adjoining commercial or residential properties utilizing natural gas. \$10 million shall be allocated by the authority for loans or grants to meet energy efficient standards (decreased from \$25 million). The bill provides for transfers of funds and for application process and procedure. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**

**SB 217 Fontana, Wayne (D)**

(PN 126) Amends the Tax Reform Code, in film production tax credit, further providing for limitations by adding that a taxpayer that uses a qualified production facility that satisfies the established criteria for the production of a television series that is intended as programming for a national audience and whose primary purpose is the sale of commercial goods is subject to the following: (1) The taxpayer is eligible for an individual tax credit not to exceed of 1.5 percent of the maximum tax credit; (2) The taxpayer is not eligible for a tax credit if the taxpayer received a tax credit in at least three of the preceding five years; and (3) The taxpayer is not eligible for a tax credit if the taxpayer is domiciled in Pennsylvania and incurred expenses in the production of the following a television commercial, employee community programs, and public service announcements or programs. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Finance**

**SB 218 Fontana, Wayne (D)**

(PN 127) Amends the Tax Reform Code increasing the film production tax credit from \$60 million to \$125 million. Effective immediately.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Finance**

**SB 219 Fontana, Wayne (D)**

(PN 128) Amends the Tax Reform Code allowing the Department of Community and Economic Development to reissue unused film production tax credits from previous fiscal years so that these credits can be reallocated. Effective immediately.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Finance**



**SB 256 Fontana, Wayne (D)**

(PN 130) Amends the Tax Reform Code adding language relating to the time for filing sales and use tax returns. Provides a licensee whose tax liability exceeds \$25,000, who has been licensed with the Department of Revenue for at least four consecutive years and can demonstrate to the department that the licensee's tax liability has varied by at least 30 percent in at least three of the last four years shall file a single return on or before the twentieth day of the month succeeding the month in which the licensee becomes liable for the tax. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Finance**

**SB 257 Fontana, Wayne (D)**

(PN 131) Amends Title 58 (Oil and Gas) further providing for protection of water supplies by requiring the department to publish on its website the results of the required water analysis obtained and completed by the department, which must be maintained on the and categorized by municipality. The results may not contain the name or address of the well owner or the exact location of the well. The bill also provides for private water supply testing for an owner of a private water supply who suspects that the water supply has been polluted or diminished by the drilling, alteration or operation of an oil or gas well, who may request the department sample and test the private water supply. Effective in 60 days.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**

**SB 258 Fontana, Wayne (D)**

(PN 132) The Carbon Monoxide Alarm Standards in Dependent Care Facilities Act provides for the placement of carbon monoxide alarms in dormitories and provides for definitions and penalties in cases of noncompliance. Effective immediately.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Public Health and Welfare**

**SB 259 Fontana, Wayne (D)**

(PN 133) The Carbon Monoxide Alarm Standards in Lodging Establishments Act provides standards for the placement of carbon monoxide alarms in lodging establishments that use a fossil fuel-burning heater or appliance. The alarm must be installed in the vicinity of the fossil fuel-burning heater or fireplace and must be installed within 18 months of the effective date of the act. Effective immediately.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Community, Economic & Recreational Dev**

**SB 260 Fontana, Wayne (D)**

(PN 134) The Carbon Monoxide Alarm Standards in Dormitories Act provides for the placement of carbon monoxide alarms in dormitories and provides for definitions and penalties in cases of noncompliance. Effective immediately.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Education**

**SB 261 Fontana, Wayne (D)**

(PN 135) The Carbon Monoxide Alarm Standards in Schools Act provides standards for the placement of carbon monoxide alarms in schools and provides for definitions and penalties in cases of noncompliance. Effective immediately

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Education**

**SB 262 Fontana, Wayne (D)**

(PN 136) The Carbon Monoxide Alarm Standards in Child Care Facilities Act provides standards for the placement of carbon monoxide alarm in child care facilities and provides for definitions and penalties in cases of noncompliance. Effective immediately.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Public Health and Welfare**

**SR 6 Greenleaf, Stewart (R)**

(PN 137) Resolution directing the Legislative Budget and Finance Committee to review the Commonwealth's program of providing funding for drinking water, wastewater and storm water projects authorized under the Pennsylvania Infrastructure Investment Authority Act.

**Jan 15, 2015 - S-Introduced and referred to committee on Senate Environmental Resources and Energy**

## UPCOMING MEETINGS

### **MONDAY – 2/2/15**

**Joint Legislative Conservation Committee**

**12:00 p.m., Room 8E-A, East Wing**

Environmental Issues Forum on MKB Company's history, the erosion control system known as Diamond Stock, & how compost-filled mesh filters are changing the way runoff & soil erosion are mitigated in oil & natural gas operations





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