

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1564 Session of
2019

INTRODUCED BY EMRICK, HEFFLEY, BERNSTINE, CIRESI, LAWRENCE,
MILLARD, MOUL, PICKETT, STRUZZI, ZIMMERMAN AND POLINCHOCK,
JUNE 4, 2019

SENATOR MARTIN, LOCAL GOVERNMENT, IN SENATE, AS AMENDED,
JUNE 8, 2020

AN ACT

1 ~~Amending Titles 42 (Judiciary and Judicial Procedure), 53~~ <--
 2 ~~(Municipalities Generally) and 57 (Notaries Public) of the~~
 3 ~~Pennsylvania Consolidated Statutes, in Uniform Unsworn~~
 4 ~~Foreign Declarations Act, further providing for heading of~~
 5 ~~chapter, for short title of chapter, for definitions, for~~
 6 ~~applicability and for form of unsworn declaration; in general~~
 7 ~~provisions, emergency seat of government, providing for~~
 8 ~~other emergencies and further providing for applicability of~~
 9 ~~subchapter; in consolidated county assessment, further~~
 10 ~~providing for definitions, for subjects of local taxation and~~
 11 ~~for assessment of mobile homes and house trailers; and, in~~
 12 ~~Revised Uniform Law on Notarial Acts, further providing for~~
 13 ~~authority to perform notarial act, providing for notarial act~~
 14 ~~performed by remotely located individual and further~~
 15 ~~providing for notification regarding performance of notarial~~
 16 ~~act on electronic record and selection of technology.~~
 17 AMENDING TITLE 53 (MUNICIPALITIES GENERALLY) OF THE PENNSYLVANIA <--
 18 CONSOLIDATED STATUTES, IN CONSOLIDATED COUNTY ASSESSMENT,
 19 FURTHER PROVIDING FOR DEFINITIONS, FOR SUBJECTS OF LOCAL
 20 TAXATION, FOR ASSESSMENT OF MOBILE HOMES AND HOUSE TRAILERS,
 21 FOR SPECIAL PROVISIONS RELATING TO COUNTYWIDE REVISIONS OF
 22 ASSESSMENTS AND FOR REGULATIONS AND TRAINING OF BOARDS.
 23 The General Assembly of the Commonwealth of Pennsylvania
 24 hereby enacts as follows:
 25 Section 1. ~~Chapter 62 heading and sections 6201, 6202, 6203~~ <--
 26 ~~and 6206 of Title 42 of the Pennsylvania Consolidated Statutes~~

1 ~~are amended to read:~~

2 CHAPTER ~~62~~

3 UNIFORM UNSWORN ~~[FOREIGN]~~

4 DECLARATIONS ACT

5 ~~§ 6201. Short title of chapter.~~

6 This chapter shall be known and may be cited as the Uniform
7 Unsworn ~~[Foreign]~~ Declarations Act.

8 ~~§ 6202. 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 ~~["Boundaries of the United States." The geographic
13 boundaries of the United States, Puerto Rico, the Virgin Islands
14 and any territory or insular possession subject to the
15 jurisdiction of the United States.]~~

16 "Law." Includes ~~[the Federal or a state constitution, a
17 Federal or state] a statute, [a] judicial decision or order, [a]
18 rule of court, [an] executive order and [an] administrative
19 rule, regulation or order.~~

20 "Record." Information that is inscribed on a tangible medium
21 or that is stored in an electronic or other medium and is
22 retrievable in perceivable form.

23 "Sign." With present intent to authenticate or adopt a
24 record:

- 25 (1) ~~to execute or adopt a tangible symbol; or~~
26 (2) ~~to attach to or logically associate with the record
27 an electronic symbol, sound or process.~~

28 ~~["State." A state of the United States, the District of
29 Columbia, Puerto Rico, the Virgin Islands or any territory or
30 insular possession subject to the jurisdiction of the United~~

1 States.]

2 "Sworn declaration." A declaration in a signed record given
3 under oath. The term includes a sworn statement, verification,
4 certificate and affidavit.

5 "Unsworn declaration." A declaration in a signed record
6 [that is] not given under oath but [is] given under penalty of
7 perjury.

8 § 6203. Applicability.

9 This chapter applies to an unsworn declaration by a declarant
10 who at the time of making the declaration is physically located
11 within or outside the boundaries of the United States whether or
12 not the location is subject to the jurisdiction of the United
13 States. [This chapter does not apply to a declaration by a
14 declarant who is physically located on property that is within
15 the boundaries of the United States and subject to the
16 jurisdiction of another country or a federally recognized Indian
17 tribe.]

18 § 6206. Form of unsworn declaration.

19 An unsworn declaration under this chapter must be in
20 substantially the following form:

21 I declare under penalty of perjury under the law of the
22 Commonwealth of Pennsylvania that the foregoing is true
23 and correct[, and that I am physically located outside
24 the geographic boundaries of the United States, Puerto
25 Rico, the Virgin Islands and any territory or insular
26 possession subject to the jurisdiction of the United
27 States].

28 [Executed] Signed on the.....day of.....,
29 at.....,
30 (date)..... (month)..... (year).....

1 ~~([city] county or other location, and state).....~~
2 ~~.....~~
3 ~~(country).....~~
4 ~~(printed name).....~~
5 ~~(signature).....~~

6 Section 2. Title 53 is amended by adding a section to
7 read:

8 ~~§ 1123.1. Other emergencies.~~

9 ~~(a) Application of section. In addition to the other~~
10 ~~provisions of this subchapter, the provisions of this section~~
11 ~~shall also apply after the declaration of a disaster or~~
12 ~~emergency by the Governor and during which the conduct of the~~
13 ~~affairs of local government at a regular place and time are~~
14 ~~imprudent, inexpedient or impossible as provided for by this~~
15 ~~subchapter.~~

16 ~~(b) Use of telecommunications devices. If the declaration~~
17 ~~is of a disaster or emergency which would render the conduct of~~
18 ~~public business dangerous to the health or safety of the members~~
19 ~~of the governing body, officials or members of the public, the~~
20 ~~governing body of the municipality may exercise its executive,~~
21 ~~legislative and judicial powers and functions to the extent~~
22 ~~possible, by means of any telecommunication devices, which~~
23 ~~permit, at a minimum, audio communication between locations. The~~
24 ~~telecommunication devices shall permit the members of the~~
25 ~~governing body conducting the affairs of the municipality to~~
26 ~~speak to and hear the comments and votes, if any, of the meeting~~
27 ~~or conducting the affairs. The governing body need not have a~~
28 ~~quorum physically present at any one location in order to~~
29 ~~conduct business.~~

30 ~~(c) Public participation and notice. The municipality shall~~

1 ~~allow, to the extent possible, for public participation in a~~
2 ~~meeting conducted by telecommunication devices. The municipality~~
3 ~~shall post notice of the meeting on its publicly accessible~~
4 ~~Internet website, if any, no later than 24 hours prior to the~~
5 ~~start of the meeting to alert the public of the meeting and how~~
6 ~~to obtain remote participation information. At least one of the~~
7 ~~following shall apply to each meeting:~~

8 ~~(1) The meeting is live streamed via web based or~~
9 ~~mobile based applications and platforms or other forms of~~
10 ~~transmission.~~

11 ~~(2) The meeting is recorded with the recording made~~
12 ~~available to the public within 24 hours after the meeting,~~
13 ~~including on the municipality's publicly accessible Internet~~
14 ~~website, if any.~~

15 ~~(3) A draft of the minutes of the meeting shall be made~~
16 ~~available for public inspection within 48 hours after the~~
17 ~~meeting on the municipality's publicly accessible Internet~~
18 ~~website or at an accessible location in the municipality.~~

19 ~~(d) Newspaper notification. Except where emergency~~
20 ~~circumstances dictate otherwise, the governing body shall, no~~
21 ~~later than 24 hours prior to the start of the meeting, notify a~~
22 ~~newspaper of general circulation of the upcoming meeting with~~
23 ~~information on how to access the meeting. The newspaper of~~
24 ~~general circulation shall be a newspaper which publishes notices~~
25 ~~of the municipality's meetings.~~

26 ~~(e) Resolution. Following the exercise of any executive,~~
27 ~~legislative or judicial powers and functions under subsection~~
28 ~~(b), and after the Governor's disaster or emergency declaration~~
29 ~~is lifted, the actual emergency and the nature of the power or~~
30 ~~function exercised shall be stated in a resolution and adopted~~

1 ~~by the governing body at the next public meeting at the regular~~
2 ~~or usual place of conducting business.~~

3 ~~(f) Existing and pending approvals. If the final day for a~~
4 ~~municipality or an agency or board of a municipality to approve~~
5 ~~or deny any application, plat, plan or other submission for an~~
6 ~~"approval" as that term is defined in section 2 of the act of~~
7 ~~July 9, 2013 (P.L.362, No.54), known as the Development Permit~~
8 ~~Extension Act, falls during a disaster or emergency dangerous to~~
9 ~~health or safety as described in subsection (b), the following~~
10 ~~shall apply:~~

11 ~~(1) Notwithstanding any provision of law, charter or~~
12 ~~ordinance, for any approval received and pending action by a~~
13 ~~municipality or an agency or board of a municipality as of~~
14 ~~the date of the declaration of a disaster or emergency, the~~
15 ~~number of days provided to satisfy statutory time limits in~~
16 ~~review, hearing and decision on any application, plat, plan~~
17 ~~or submission shall be suspended or tolled as of the date of~~
18 ~~the disaster or emergency declaration and shall resume on the~~
19 ~~date following the termination of the disaster or emergency~~
20 ~~or the final extension thereof.~~

21 ~~(2) The municipality shall notify in writing each~~
22 ~~applicant subject to this subsection of the disaster or~~
23 ~~emergency, the time extension set forth in this section and~~
24 ~~the right to a request as provided in paragraph (3). In no~~
25 ~~event shall a failure to receive the notice provided by this~~
26 ~~section affect the tolling of the number of days provided to~~
27 ~~satisfy statutory time limits for review, hearing and~~
28 ~~decisions.~~

29 ~~(3) The applicant may request such meetings, hearings or~~
30 ~~proceedings as may be required by the law, charter or~~

~~ordinance provisions governing the application, plat, plan or submission during the period of the disaster or emergency in accordance with the procedures in subsections (b), (c), (d) and (e). It shall be at the discretion of the municipality to proceed with the requests. If the municipality agrees and holds the proceedings, the applicant, the municipality and all other parties receiving actual notice of the proceedings waive any challenge to the proceedings under 42 Pa.C.S. § 5571.1 (relating to appeals from ordinances, resolutions, maps, etc.) or any other provision of law.~~

~~(4) For an approval granted by a municipality, or board or agency thereof, and in effect after the beginning of the disaster or emergency declaration, the running period of the approval shall be automatically suspended during the disaster or emergency and shall resume after the final termination of the disaster or emergency.~~

~~Section 3. Section 1124 of Title 53 is amended to read:~~

~~§ 1124. Applicability of subchapter.~~

~~The provisions of this subchapter shall control, in the event it shall be employed, notwithstanding any statutory, charter or ordinance provision to the contrary or in conflict with this subchapter.~~

~~Section 4. Section 8802 of Title 53 is amended by adding definitions to read:~~

SECTION 1. SECTION 8802 OF TITLE 53 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED BY ADDING DEFINITIONS TO READ:
§ 8802. Definitions.

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

<--

1 * * *

2 "Manufactured home." A manufactured home as defined in
3 section 603(6) of the National Manufactured Housing Construction
4 and Safety Standards Act of 1974 (Public Law 93-383, 42 U.S.C.
5 5402(6)) or a structure designed and used exclusively for living
6 quarters.

7 "Mobile home." A structure manufactured before 1976,
8 designed and used exclusively for living quarters or commercial
9 purposes, but only incidentally operated on a highway.

10 * * *

11 Section 5 2. Sections 8811(a)(1) ~~and~~, 8821, 8848 AND 8852(B) <--
12 of Title 53 are amended to read:

13 § 8811. Subjects of local taxation.

14 (a) Subjects of taxation enumerated.--Except as provided in
15 subsection (b), all subjects and property made taxable by the
16 laws of this Commonwealth for county, city, borough, town,
17 township and school district purposes shall, as provided in this
18 chapter, be valued and assessed at the annual rates, including
19 all:

20 (1) Real estate, namely:

21 (i) houses;

22 (ii) [house trailers] manufactured homes and mobile
23 homes permanently attached to land or connected with
24 water, gas, electric or sewage facilities;

25 (iii) buildings permanently attached to land or
26 connected with water, gas, electric or sewage facilities;

27 (iv) lands, lots of ground and ground rents, trailer
28 parks and parking lots;

29 (v) mills and manufactories of all kinds, furnaces,
30 forges, bloomeries, distilleries, sugar houses, malt

1 houses, breweries, tan yards, fisheries, ferries and
2 wharves;

3 (vi) all office buildings;

4 (vii) that portion of a steel, lead, aluminum or
5 like melting and continuous casting structure which
6 encloses or provides shelter or protection from the
7 elements for the various machinery, tools, appliances,
8 equipment, materials or products involved in the mill,
9 mine, manufactory or industrial process; and

10 (viii) telecommunication towers that have become
11 affixed to land.

12 * * *

13 § 8821. Assessment of mobile homes and [house trailers]
14 manufactured homes.

15 (a) Duty.--It shall be the duty of the county assessment
16 office to assess all mobile homes and [house trailers]
17 manufactured homes within the county according to the actual
18 value thereof. All mobile homes or [house trailers] manufactured
19 homes which are subject to taxation as real estate as provided
20 in this chapter shall be assessed and taxed in the name of the
21 owner. The land upon which the mobile home or [house trailer]
22 manufactured home is located at the time of assessment shall be
23 assessed separately and shall not include the value of the
24 [house trailer or] mobile home or manufactured home located
25 thereon.

26 (a.1) Value.--In arriving at the actual value of a mobile
27 home or manufactured home, the assessor shall MAY consider: <--

28 (1) The value placed on the mobile home or manufactured
29 home in the most recent national directory or valuation guide
30 prepared by an association that analyzes mobile home or

1 manufactured home sales and other relevant data.

2 (2) Any depreciation in value of the unit.

3 (3) The ability of the mobile home or manufactured home
4 to be readily transported from one site to another.

5 (4) The fair market value of the mobile home or
6 manufactured home, using the approaches to value specified in
7 section 8842(b)(1) (relating to valuation of property),
8 provided, however, that such fair market value shall not
9 include the value of the land upon which the mobile home or
10 manufactured home is located.

11 (5) Any improvement made to the mobile home or
12 manufactured home.

13 (b) Records.--All [mobile home court operators] manufactured
14 housing community owners, which shall mean every person who
15 leases land to [two] three or more persons for the purpose of
16 allowing the lessees to locate on the land a mobile home or
17 [house trailer] manufactured home which is subject to real
18 property taxation, shall maintain a record of the leases, which
19 shall be open for inspection at reasonable times by the county
20 assessment office. Each month, the [mobile home court operator]
21 manufactured housing community owner shall send a record to the
22 county assessment office of the arrivals and departures of
23 mobile homes or [house trailers] manufactured homes in the
24 [court] community during the prior month, including the make,
25 model, manufacturer, year and serial number of the mobile home
26 or [house trailer] manufactured home.

27 (c) Notice.--Each person in whose name a mobile home or
28 [house trailer] manufactured home is assessed, rated or valued
29 as provided in this chapter shall be notified in writing by the
30 assessor that it shall be unlawful for any person to remove the

1 mobile home or [house trailer] manufactured home from the taxing
2 district without first having obtained removal permits from the
3 local tax collector.

4 (d) Removal permits.--The local tax collector shall issue
5 removal permits upon application and payment of a fee of \$2 and
6 of all taxes levied and assessed on the mobile home or [house
7 trailer] manufactured home to be moved.

8 (e) Penalty.--Any person who moves a mobile home or [house
9 trailer] manufactured home from the territorial limits of the
10 taxing district without first having obtained a removal permit
11 issued under this chapter shall, upon summary conviction, be
12 sentenced to pay a fine of \$100 and costs of prosecution or to
13 imprisonment for not more than 30 days, or both.

14 (f) Characterization of property.--Nothing in this section
15 shall be construed as prohibiting a mobile home or [house
16 trailer] manufactured home upon which a real property tax is
17 levied as provided by law from being deemed tangible personal
18 property for other purposes.

19 ~~Section 6. Section 304 of Title 57 is amended by adding a~~ <--
20 ~~subsection to read:~~

21 ~~§ 304. Authority to perform notarial act.~~

22 * * *

23 ~~(c) Certification of tangible copies. A notarial officer~~
24 ~~may certify that a tangible copy of an electronic record is a~~
25 ~~true and correct copy of the electronic record.~~

26 ~~Section 7. Title 57 is amended by adding a section to read:~~
27 ~~§ 314.1. Notarial act performed by remotely located individual.~~

28 ~~(a) General rule. A remotely located individual may comply~~
29 ~~with section 306 (relating to personal appearance required) by~~
30 ~~appearing before a notary public by means of communication~~

1 ~~technology.~~

2 ~~(b) Use of communication technology. A notary public~~
3 ~~located in this Commonwealth may perform a notarial act~~
4 ~~facilitated by communication technology for a remotely located~~
5 ~~individual if all of the following apply:~~

6 ~~(1) The notary public:~~

7 ~~(i) has personal knowledge under section 307(a)~~
8 ~~(relating to identification of individual) of the~~
9 ~~identity of the individual;~~

10 ~~(ii) has satisfactory evidence of the identity of~~
11 ~~the remotely located individual by oath or affirmation~~
12 ~~from a credible witness appearing before the notary~~
13 ~~public under section 307(b) (2) or under this section; or~~

14 ~~(iii) is able to reasonably identify the individual~~
15 ~~by at least two different types of identity proofing~~
16 ~~processes or services.~~

17 ~~(2) The notary public is able to reasonably identify a~~
18 ~~record before the notary public as the same record:~~

19 ~~(i) in which the remotely located individual made~~
20 ~~the statement; or~~

21 ~~(ii) on which the remotely located individual~~
22 ~~executed the signature.~~

23 ~~(3) The notary public, or a person acting on behalf of~~
24 ~~the notary public, creates an audio visual recording of the~~
25 ~~performance of the notarial act.~~

26 ~~(4) If the remotely located individual is located~~
27 ~~outside the United States, all of the following apply:~~

28 ~~(i) The record:~~

29 ~~(A) is to be filed with or relates to a matter~~
30 ~~before a court, governmental entity, public official~~

~~or other entity under the jurisdiction of the United States; or~~

~~(B) involves:~~

~~(I) property located in the territorial jurisdiction of the United States; or~~

~~(II) a transaction substantially connected with the United States.~~

~~(ii) The act of making the statement or signing the record is not prohibited by the foreign state where the remotely located individual is located.~~

~~(c) Notarial certificate. If a notarial act is subject to this section, the certificate of notarial act required by section 315 (relating to certificate of notarial act) and the short form certificate under section 316 (relating to short form certificates) must indicate that the notarial act was performed by means of communication technology.~~

~~(d) Sufficiency. A short form certificate under section 316 for a notarial act subject to this section is sufficient if either of the following apply:~~

~~(1) The short form certificate is in the form provided by section 316 and contains a statement substantially as follows:~~

~~"This notarial act involved the use of communication technology."~~

~~(2) The certificate complies with the regulations promulgated under subsection (g) (1).~~

~~(e) Audio visual recording. The following apply:~~

~~(1) This subsection applies to:~~

~~(i) a notary public;~~

~~(ii) a guardian, a conservator or an agent of a~~

1 ~~notary public; or~~

2 ~~(iii) a personal representative of a deceased notary~~
3 ~~public.~~

4 ~~(2) A person under paragraph (1) shall retain the audio-~~
5 ~~visual recording created under subsection (b) (3) or cause the~~
6 ~~recording to be retained by a repository designated by or on~~
7 ~~behalf of the notary public. The person shall retain the~~
8 ~~recording:~~

9 ~~(i) for at least 10 years after the recording is~~
10 ~~created; or~~

11 ~~(ii) as otherwise required by the regulations~~
12 ~~promulgated under subsection (g) (4).~~

13 ~~(f) Notification. The following apply:~~

14 ~~(1) Before a notary public performs the notary public's~~
15 ~~initial notarial act under this section, the notary public~~
16 ~~must notify the department that the notary public will be~~
17 ~~performing notarial acts facilitated by communication~~
18 ~~technology and identify the technology.~~

19 ~~(2) If the department has established standards for~~
20 ~~approval of communication technology or identity proofing~~
21 ~~under subsection (g) and section 327 (relating to~~
22 ~~regulations), the communication technology and identity~~
23 ~~proofing must conform to the standards.~~

24 ~~(g) Regulations. In addition to matters listed in section~~
25 ~~327, the department may promulgate regulations regarding~~
26 ~~performance of a notarial act performed under this section. The~~
27 ~~regulations may do all of the following:~~

28 ~~(1) Prescribe the means of performing a notarial act~~
29 ~~involving communication technology to communicate with a~~
30 ~~remotely located individual.~~

1 ~~(2) Establish standards for communication technology and~~
2 ~~identity proofing. This paragraph includes the use of~~
3 ~~credential analysis, dynamic knowledge based authentication,~~
4 ~~biometrics and other means of identification.~~

5 ~~(3) Establish requirements or procedures to approve~~
6 ~~providers of communication technology and the process of~~
7 ~~identity proofing.~~

8 ~~(4) Establish standards and periods for the retention of~~
9 ~~an audio visual recording created under subsection (b) (3) of~~
10 ~~the performance of a notarial act.~~

11 ~~(h) Promotion of uniformity. Before promulgating, amending~~
12 ~~or repealing regulations about the performance of a notarial act~~
13 ~~with respect to a remotely located individual, the department~~
14 ~~shall consider, if consistent with this chapter, all of the~~
15 ~~following:~~

16 ~~(1) The most recent standards regarding the performance~~
17 ~~of a notarial act with respect to remotely located~~
18 ~~individuals promulgated by a national standard setting~~
19 ~~organization. This paragraph includes the National~~
20 ~~Association of Secretaries of State.~~

21 ~~(2) Standards, practices and customs of other~~
22 ~~jurisdictions that enact a statutory provision substantially~~
23 ~~similar to this section.~~

24 ~~(3) The views of governmental officials and entities and~~
25 ~~other interested persons.~~

26 ~~(i) Definitions. As used in this section, the following~~
27 ~~words and phrases shall have the meanings given to them in this~~
28 ~~subsection unless the context clearly indicates otherwise:~~

29 ~~"Communication technology." An electronic device or process~~
30 ~~that:~~

1 ~~(1) allows a notary public located in this Commonwealth~~
2 ~~and a remotely located individual to communicate with each~~
3 ~~other simultaneously by sight and sound; and~~

4 ~~(2) makes reasonable accommodations for an individual~~
5 ~~with a vision, hearing or speech impairment in accordance~~
6 ~~with law.~~

7 ~~"Foreign state." A jurisdiction other than the United~~
8 ~~States, a state or a federally recognized Indian tribe.~~

9 ~~"Identity proofing." A process or service by which a third~~
10 ~~person provides a notary public with a means to verify the~~
11 ~~identity of a remotely located individual by a review of~~
12 ~~personal information from public or private data sources.~~

13 ~~"Outside the United States." A location outside the~~
14 ~~geographic boundaries of:~~

15 ~~(1) the United States;~~

16 ~~(2) Puerto Rico;~~

17 ~~(3) the Virgin Islands; and~~

18 ~~(4) any territory, insular possession or other location~~
19 ~~subject to the jurisdiction of the United States.~~

20 ~~"Remotely located individual." An individual who is not in~~
21 ~~the physical presence of the notary public performing a notarial~~
22 ~~act under subsection (b).~~

23 Section 8. Section 320 of Title 57 is amended by adding a
24 subsection to read:

25 § 320. Notification regarding performance of notarial act on
26 electronic record; selection of technology.

27 * * *

28 ~~(c) Certification of tangible copies. A recorder of deeds~~
29 ~~may accept for recording a tangible copy of an electronic record~~
30 ~~containing a notarial certificate as satisfying any requirement~~

1 ~~that the record be an original, if the notarial officer~~
2 ~~executing the notarial certificate certifies that the tangible~~
3 ~~copy is an accurate copy of the electronic record.~~

4 § 8848. SPECIAL PROVISIONS RELATING TO COUNTYWIDE REVISIONS OF <--
5 ASSESSMENTS.

6 (A) NOTICE REQUIREMENTS.--IF ANY COUNTY PROPOSES TO
7 INSTITUTE A COUNTYWIDE REVISION OF ASSESSMENTS UPON REAL
8 PROPERTY, THE FOLLOWING NOTICE REQUIREMENTS SHALL APPLY:

9 (1) EACH PROPERTY OWNER SHALL BE NOTIFIED BY MAIL AT THE
10 PROPERTY OWNER'S LAST KNOWN ADDRESS OF THE VALUE OF THE NEW
11 ASSESSMENT, THE VALUE OF THE OLD ASSESSMENT AND THE RIGHT TO
12 APPEAL WITHIN 40 DAYS AS PROVIDED IN SUBSECTION (C) (1). THE
13 NOTICE SHALL STATE A MAILING DATE AND SHALL BE DEPOSITED IN
14 THE UNITED STATES MAIL ON THAT DATE. THE NOTICE SHALL BE
15 DEEMED RECEIVED BY THE PROPERTY OWNER ON THE DATE DEPOSITED
16 IN THE UNITED STATES MAIL.

17 (2) THE CHIEF ASSESSOR SHALL MAINTAIN A LIST OF ALL
18 NOTICES AND THE MAILING DATES FOR EACH AND SHALL AFFIX AN
19 AFFIDAVIT ATTESTING TO THE MAILING DATES OF THE ASSESSMENT
20 NOTICES. THIS LIST SHALL BE A PERMANENT PUBLIC RECORD OF THE
21 COUNTY ASSESSMENT OFFICE AND AVAILABLE FOR PUBLIC INSPECTION.

22 (B) INFORMAL REVIEW.--IN CONJUNCTION WITH A COUNTYWIDE
23 REVISION OF ASSESSMENTS, A DESIGNEE OF THE COUNTY ASSESSMENT
24 OFFICE MAY MEET WITH PROPERTY OWNERS TO REVIEW ALL PROPOSED
25 ASSESSMENTS AND CORRECT ERRORS PRIOR TO THE COMPLETION OF THE
26 FINAL ASSESSMENT ROLL. IN NO EVENT SHALL THE MARKET VALUE OR
27 ASSESSED VALUE OF A PROPERTY BE ADJUSTED AS A RESULT OF AN
28 INFORMAL REVIEW EXCEPT TO REFLECT CHANGES TO TABULAR DATA OR
29 PROPERTY CHARACTERISTICS INACCURATELY RECORDED DURING THE
30 REVISION. INFORMAL REVIEWS, IF CONDUCTED, SHALL BE COMPLETED NO

1 LATER THAN JUNE 1.

2 (C) APPEAL PROCESS.--

3 (1) ALL PROPERTY OWNERS AND AFFECTED TAXING DISTRICTS
4 SHALL HAVE THE RIGHT TO APPEAL ANY NEW ASSESSMENT VALUE
5 WITHIN 40 DAYS OF THE MAILING DATE STATED ON THE NOTICE.

6 (2) THE COUNTY ASSESSMENT OFFICE SHALL MAIL ALL NOTICES
7 ON OR BEFORE JULY 1. THE BOARD IN ITS DISCRETION MAY COMMENCE
8 WITH THE HEARING OF APPEALS 40 DAYS FOLLOWING THE MAILING OF
9 THE INITIAL NOTICES OF REASSESSMENT.

10 (3) THE COUNTY ASSESSMENT OFFICE SHALL NOTIFY EACH
11 APPELLANT, PROPERTY OWNER, IF NOT THE APPELLANT, AND EACH
12 AFFECTED TAXING DISTRICT OF THE TIME AND PLACE OF HEARING ON
13 THE APPEAL BY MAILING A NOTICE NO LATER THAN 20 DAYS PRIOR TO
14 THE SCHEDULED HEARING DATE. ANY APPELLANT WHO FAILS TO APPEAR
15 FOR HEARING AT THE TIME FIXED SHALL BE CONCLUSIVELY PRESUMED
16 TO HAVE ABANDONED THE APPEAL UNLESS THE HEARING DATE IS
17 RESCHEDULED BY THE MUTUAL CONSENT OF THE APPELLANT AND THE
18 BOARD.

19 (4) ON OR BEFORE NOVEMBER 15, THE COUNTY ASSESSMENT
20 OFFICE SHALL CERTIFY TO THE TAXING DISTRICTS NEW ASSESSMENT
21 ROLLS RESULTING FROM THE COUNTYWIDE REVISION OF ASSESSMENTS.

22 (5) ALL APPEALS SHALL BE HEARD AND ACTED UPON BY THE
23 BOARD NOT LATER THAN OCTOBER 31.

24 (D) COMMON LEVEL RATIO.--IF A COUNTY HAS EFFECTED A
25 COUNTYWIDE REVISION OF THE ASSESSMENTS, WHICH WAS USED TO
26 DEVELOP THE COMMON LEVEL RATIO LAST DETERMINED BY THE STATE TAX
27 EQUALIZATION BOARD, THE FOLLOWING SHALL APPLY:

28 (1) IF A COUNTY CHANGES ITS ASSESSMENT BASE BY APPLYING
29 A CHANGE IN PREDETERMINED RATIO, THE BOARD SHALL APPLY THE
30 PERCENTAGE CHANGE BETWEEN THE EXISTING PREDETERMINED RATIO

1 AND NEWLY ESTABLISHED PREDETERMINED RATIO TO THE COUNTY'S
2 COMMON LEVEL RATIO TO ESTABLISH THE CERTIFIED REVISED COMMON
3 LEVEL RATIO FOR THE YEAR IN WHICH THE ASSESSMENT WAS REVISED.

4 (2) IF THE COUNTY PERFORMS A COUNTYWIDE REVISION OF
5 ASSESSMENTS BY REVALUING THE PROPERTIES AND APPLYING AN
6 ESTABLISHED PREDETERMINED RATIO, THE BOARD SHALL UTILIZE THE
7 ESTABLISHED PREDETERMINED RATIO INSTEAD OF THE COMMON LEVEL
8 RATIO FOR THE YEAR IN WHICH THE ASSESSMENT WAS REVISED AND
9 UNTIL THE TIME THAT THE COMMON LEVEL RATIO DETERMINED BY THE
10 STATE TAX EQUALIZATION BOARD REFLECTS THE REVALUING OF
11 PROPERTIES RESULTING FROM THE REVISION OF ASSESSMENTS.

12 (E) EXCEPTION.--IN THE EVENT OF A DECLARATION BY THE
13 GOVERNOR OF A DISASTER EMERGENCY UNDER 35 PA.C.S. § 7301(C)
14 (RELATING TO GENERAL AUTHORITY OF GOVERNOR) THAT OCCURS IN THE
15 YEAR DURING WHICH A COUNTY CONDUCTS APPEALS INCIDENT TO A COURT-
16 ORDERED COUNTYWIDE REASSESSMENT, THE FOLLOWING SHALL APPLY:

17 (1) THE COUNTY ASSESSMENT OFFICE SHALL MAIL THE NOTICE
18 REQUIRED BY SUBSECTION (A) (1) ON OR BEFORE JULY 1, EXCEPT
19 THAT THE NOTICE SHALL SPECIFY THE RIGHT TO APPEAL ANY NEW
20 ASSESSMENT VALUE WITHIN THE TIME PERIOD UNDER PARAGRAPH (2).

21 (2) ALL PROPERTY OWNERS AND AFFECTED TAXING DISTRICTS
22 SHALL HAVE THE RIGHT TO APPEAL ANY NEW ASSESSMENT VALUE NO
23 LATER THAN SEPTEMBER 1 OF THE YEAR IN WHICH THE NOTICE UNDER
24 PARAGRAPH (1) IS MAILED.

25 (3) THE BOARD, IN ITS DISCRETION, MAY COMMENCE WITH THE
26 HEARING OF APPEALS AS SOON AS PRACTICABLE. ALL APPEALS SHALL
27 BE HEARD AND ACTED UPON BY THE BOARD NOT LATER THAN NOVEMBER
28 15.

29 (4) THE PROVISIONS OF SUBSECTIONS (B) AND (C) (3) SHALL
30 APPLY TO APPEALS CONDUCTED IN ACCORDANCE WITH THIS

1 SUBSECTION.

2 (5) ON OR BEFORE DECEMBER 1, 2020, THE COUNTY ASSESSMENT
3 OFFICE SHALL CERTIFY TO THE TAXING DISTRICTS THE NEW
4 ASSESSMENT ROLLS RESULTING FROM THE COUNTYWIDE REVISION OF
5 ASSESSMENTS.

6 (6) THIS SUBSECTION SHALL EXPIRE DECEMBER 31, 2020.

7 § 8852. REGULATIONS AND TRAINING OF BOARDS.

8 * * *

9 (B) TRAINING REQUIRED.--MEMBERS OF THE BOARD AND EACH
10 AUXILIARY APPEAL BOARD APPOINTED AFTER THE EFFECTIVE DATE OF
11 THIS SUBSECTION SHALL BE AUTHORIZED TO HEAR APPEALS ONLY IF THEY
12 HAVE COMPLETED TRAINING IN ACCORDANCE WITH THIS SECTION, SUBJECT
13 TO THE FOLLOWING CONDITIONS AND EXCEPTIONS:

14 (1) A MEMBER OF THE BOARD SHALL HAVE UP TO SIX MONTHS
15 FROM THE DATE OF APPOINTMENT TO COMPLETE THE TRAINING
16 REQUIRED UNDER SUBSECTION (C). THE MEMBER MAY HEAR APPEALS
17 WITHOUT TRAINING DURING THE SIX-MONTH PERIOD. FAILURE OF A
18 BOARD MEMBER TO OBTAIN THE TRAINING WITHIN SIX MONTHS OF
19 APPOINTMENT SHALL RESULT IN DISQUALIFICATION OF THE MEMBER
20 AND SHALL CREATE A VACANCY. A NEW MEMBER SHALL BE APPOINTED
21 TO REPLACE THE DISQUALIFIED MEMBER WITHIN 30 DAYS OF THE
22 EFFECTIVE DATE OF THE VACANCY.

23 (2) A MEMBER OF AN AUXILIARY APPEAL BOARD SHALL BE
24 AUTHORIZED TO HEAR APPEALS ONLY UPON COMPLETION OF TRAINING
25 REQUIRED UNDER SUBSECTION (C).

26 (3) A MEMBER OF THE BOARD OR AUXILIARY APPEAL BOARD WHO
27 HOLDS AN ACTIVE CERTIFIED PENNSYLVANIA EVALUATOR
28 CERTIFICATION SHALL NOT BE REQUIRED TO COMPLETE THE TRAINING
29 UNDER SUBSECTION (C).

30 (4) A MEMBER OF THE BOARD OR AUXILIARY APPEAL BOARD WHO

