



Acts Affecting County Government 2022

The following is a list of acts and vetoes affecting county government that passed in 2022. Included are the bill number and printer's number (bill version) and the date the act was signed into law. Copies of each act are available from the Legislature's website by clicking on the link.

[Act 1](#) (SB 324, P.N. 850; January 26, 2022)- Amends the Public School Code, assisting students facing education instability, including homelessness and adjudication. Further provides requirements for schools to help students to obtain a diploma in a timely manner.

[Act 2](#) (HB 253, P.N. 2653; January 26, 2022)- Amends the Fiscal Code, creating a task force to review the impact of the opioid epidemic on infants and children. Establishes the task forces duties. Appropriates \$15 million in funds from the COVID-19 Response Restricted Account which will be used to make payments to hospitals and other eligible staff and for the Student Loan Relief for Nurses Program.

[Act 4](#) (HB 930, P.N. 2240; February 3, 2022)- Amends Title 18 (Crimes and Offenses) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for the collection of DNA for the National Missing and Unidentified System. Requires law enforcement to submit DNA profiles to missing persons and children to the Pennsylvania State Police.

[Act 10](#) (SB 739, P.N. 1378; February 10, 2022)- Amends Title 35 (Health and Safety), in Commonwealth services, providing for \$25 million in American Rescue Plan Act funds for public safety agencies to offer recruitment and retention bonuses to first responders. Further establishes the Emergency Medical Services COVID-19 Recovery Grant Program.

[Act 12](#) (HB 764, P.N. 2646; February 17, 2022)- Amends Title 23 (Domestic Relations), in child protective services, allows for provisional hiring for limited periods. An applicant may be employed on a provisional basis for a single period not exceeding 45 days if specified requirements are not met.

[Act 13](#) (HB 2143, P.N. 2536; February 17, 2022)- Amends Title 61 (Prisons and Paroles), allowing for counties that are transitioning from a Third Class to a Second Class-A to maintain their existing county prison board.

[Act 14](#) (SB 1019, P.N. 1524; March 30, 2022)- Amends the Administrative Code, allowing for a temporary regulatory flexibility authority, providing for COVID-19 regulatory flexibility authority.

[Act 15](#) (HB 221, P.N. 0188; April 19, 2022)- Amends the Open Space Law, allowing municipalities to use open space funds for maintenance on all open spaces regardless of how they were acquired.

[Act 18](#) (SB 478, P.N. 2365; April 19, 2022)- Act extending the law to cover any contract or purchase where bids are required but not received, under the same terms as the current law. Specifically, if no bids are received for a contract for services after two advertisements, the local government would be able to initiate negotiations for a contract to obtain the services advertised.

[Act 30](#) (HB 2401, P.N. 3331; June 30, 2022)- Amends the Health Care Facilities Act , aligning Pennsylvania law with Federal law to authorize certified registered nurse practitioners (CRNPs) and physician assistants (PAs) to order and oversee orders for home health services. Further requires the Department of Human Services (DHS) to seek any Federal approvals or waivers needed to effectuate this bill for purposes of the medical assistance (Medicaid) program

[Act 32](#) (HB 1561, P.N. 2317; July 7, 2022)- Amends the Mental Health Procedures Act, specifying documents concerning an individuals treatment shall be kept confidential and may not be released to anyone except to the individual, a county administrator, a court during legal proceedings or the establishment treating the individual.

[Act 33](#) (HB 1563, P.N. 2318; July 7, 2022)- Amends the Pennsylvania Drug and Alcohol Abuse Control Act providing definitions for business associate, covered entity, disclosure, federally assisted, health care operations, payment, program, treatment and use. The act also provides that that all patient records prepared or obtained may not be disclosed without the patient's consent. The act changes how Pennsylvania regulates confidentiality of records and aligns them with federal confidentiality laws under HIPPA. The Department of Drug and Alcohol Programs will issue further guidance.

[Act 34](#) (HB 1780, P.N. 3274; July 7, 2022)- Amends the Storage Tank and Spill Prevention Act extending the sunset dates for the Underground Storage Tank Environmental Cleanup Program and the Underground Storage Tank Pollution Prevention Program from 2022 to 2027.

[Act 38](#) (HB 2412, P.N. 2973; July 7, 2022)- Amends the Administrative Code, to allow the Governor to allocate the use of the Pennsylvania National Guard for special state duties to state and local governments, including cybersecurity support, training and education.

[Act 41](#) (SB 477, P.N. 1783; July 7, 2022)- Amends Title 53 (Municipalities Generally), which will improve proper and timely submission of building permits to county assessment offices by offering counties additional options to follow up with municipalities and third-party agencies when they believe such submission is not occurring.

[Act 43](#) (SB 635, P.N. 1125; July 7, 2022)- Amends Title 12 (Commerce and Trade) to clarify that the Real Estate Tax Sale Law or the Municipal Claims and Tax Lien Law must be used to collect delinquent payments on PACE property.

[Act 45](#) (SB 861, P.N. 1072; July 7, 2022)- Act adding Pennsylvania to the EMS state compact to allow for the transference of licensure across state lines which will assist with the recruitment and retention of licensed EMS providers.

[Act 46](#) (SB 904, P.N. 1140; July 7, 2022)- Amends Title 42 (Judiciary and Judicial Procedure), to allow probation officers to use video conferencing to meet with an offender.

[Act 54](#) (HB 1421, P.N. 3379; July 11, 2022)- Omnibus amendments to the Fiscal Code providing for the implementation of the FY 2022-2023 state budget. Among other provisions, creates a new behavioral Health Commission for Adult Mental Health, which will make recommendations on how to allocate \$100 million in one-time federal American Rescue Plan Act (ARPA) funds for adult mental health. Further includes one-time federal appropriations through ARPA, specifically \$125 million for the Whole-Home Repairs Program, \$100 million for affordable housing through the Housing Options Grant Program and \$150 million in assistance for low-income housing programs.

[Act 57](#) (HB 430, P.N. 2274; July 11, 2022)- Amends the Local Tax Collection Law, providing for new homeowners to receive a waiver from the property tax penalty charges if they did not receive a bill notice within their first year of owning a property. Additionally, the act provides that tax collectors will not be personally liable if acting in good faith.

[Act 58](#) (HB 581, P.N. 2900; July 11, 2022)- Act expanding affordable housing by giving local government options to pass tax abatements or exemptions for low-income homeowners and renters.

[Act 66](#) (HB 1614, P.N. 2938; July 11, 2022)- Amends the Pennsylvania Election Code, clarifying the number of ballots to be printed by the county board of elections. Going forward, for a primary election, a county must print enough ballots for at least 50% of the total number of electors in a district less the number of requested absentee or mail-in ballots. For a general election, at least 100% of the total number of electors in a district less the number of the requested absentee or mail-in ballots must be printed.

[Act 72](#) (HB 2097, P.N. 3248; July 11, 2022)- Amends Title 35 (Health and Safety), providing for a staffing exception for BLS ambulances. Specifically clarifies that a staff requirement for a BLS call during transport may be an EMS vehicle operator (EMSVO) and an EMS provider at or above the level of an EMT. Further, it requires that an EMS provider at or above the level of an EMT shall attend to the patient at the scene and during patient transportation. The legislation will sunset April 29, 2027.

[Act 76](#) (HB 2419, P.N. 2841; July 11, 2022)- Amends the Outpatient Psychiatric Oversight Act, providing a definition of advanced practice to specify that certifications come from an outpatient psychiatric clinic and will permit tele-health for outpatient psychiatric services on a permanent basis.

[Act 77](#) (HB 2464, P.N. 1783; July 11, 2022)- Amends the Crime Victims Act under the former County Offender Supervision Fund to require 100% of the county supervision fees collected by the county to stay in the county. Under previous law, 50% of the supervision fees collected by the county were retained and the other 50% were sent to the state, held by the state and later returned to the county.

[Act 84](#) (SB 382, P.N. 1850; July 11, 2022)- An Act amending Title 74 (Transportation), changing requirements under the public-private (P3) provisions for transportation projects. Specifically requires a detailed analysis of proposed projects prior to approval by the P3 board, and prohibits the approval of transportation P3 projects involving mandatory user fees. Further, Act 84 bars collection of tolls as a part of [PennDOT's Major Bridge P3 Initiative](#) but does allow for bridge rehabilitation utilizing the P3 model as long as there is no imposition or collection of user fees.

[Act 88](#) (SB 982, P.N.1856; July 11, 2022)- Amends the Pennsylvania Election Code, providing for the lawful appropriation of funds to federal, state and local governments. The act prohibits the use of any other funds, particularly prohibiting the use of gifts, donations and private grant funds. Additionally, the act creates the Election Integrity Grant Program. The program will provide counties with resources to upgrade election security measures, however counties will have to adhere to specific accountability measures.

[Act 99](#) (HB 103, P.N. 3500; November 3, 2022) - Amends Title 18 (Crimes & Offenses), updating the criminal charge for assault of a law enforcement officer, including sheriffs and deputy sheriffs, to a felony of the third degree. Further clarifies offense gradings and penalties for corrections settings.

[Act 101](#) (HB 220, P.N. 187; November 3, 2022) - Amends the Administrative Code, allowing counties to create individual or multi-county death review teams for fatalities related to suicide or overdose. Further clarifies public and private treatment centers cannot deny addiction treatment to an individual solely due to a negative result on a drug test.

[Act 102](#) (HB 284, P.N. 219; November 3, 2022) - Amends Title 37 (Historical & Museums), clarifying the Pennsylvania Historical and Museum Commission can act on behalf of a local government agency related to archival record possession procedures.

[Act 104](#) (HB 397, P.N. 397; November 3, 2022) - Amends Title 35 (Health & Safety), adding an education certification management system for fire and emergency services. Further establishes a grant program for municipal and combination fire departments for fire, EMS or rescue facilities and equipment. Also establishes an active volunteer tuition and loan assistance program.

[Act 108](#) (HB 1059, P.N. 3613; November 4, 2022) - Amends the Tax Reform Code, providing for various tax credits. Further increases the PHARE funding cap from \$40 million to \$60 million beginning in FY 2023-2024.

[Act 111](#) (HB 1393, P.N. 3253; November 3, 2022) - Amends the Controlled Substance, Drug, Device and Cosmetic Act, stating that any testing product utilized in determining whether a controlled substance contains chemicals, toxic substances or hazardous compounds, including fentanyl test strips, are not considered drug paraphernalia.

[Act 118](#) (HB 1866, P.N. 3064; November 3, 2022) - Amends Titles 42 (Judiciary) and 67 (Public Welfare), requiring a county agency develop a permanency plan at the time a child is taken into protective custody and provide continuous services in support of the plan, including developmentally appropriate services and a transition plan for adulthood. Further adds additional requirements for county agencies in terms of identification of supportive adults and "family finding".

[Act 127](#) (HB 2214, P.N. 3065; November 3, 2022) - Amends Title 67 (Public Welfare), providing for indemnification contracts between children and youth agencies and entities that provide children and youth services. Specifically provides that an indemnification clause purporting to indemnify, hold harmless, or insure the county agency for damages arising from the county agency's own negligence shall be void as against public policy.

[Act 131](#) (HB 2426, P.N. 3507; November 3, 2022) - Amends Title 67 (Public Welfare), establishing a foster/resource parents' "bill of rights" and prohibiting retaliation or adverse action against a resource parent for making any appropriate inquiry regarding decisions or practices affecting the child or for any appropriate communication pursuant to the Juvenile Act. Further provides that the placing agency must interview a resource parent as a potential adoptive parent when the resource parent has expressed interest in adopting a child who has lived with the resource parent for at least six months and either the child's permanency goal is adoption, or the child has been in foster care for at least 15 of the preceding 22 months.

[Act 134](#) (HB 2525, P.N. 3586; November 3, 2022) - Amends Title 18 (Crimes & Offenses), adding a new subchapter to the Criminal History Record Information Act (CHRIA) which creates a procedure why which a party may request and obtain criminal history investigative information from a criminal justice agency for use in civil action.

[Act 135](#) (HB 2527, P.N. 3150; November 3, 2022) - Amends the Controlled Substance, Drug, Device and Cosmetic Act, replacing "naloxone" with the term "opioid antagonist", which is further defined as a drug or device approved by the Federal Food, Drug and Cosmetic Act for emergency reversal of known or suspected opioid overdose or other similarly acting drugs approved by the U.S. Food and Drug Administration for the treatment of an opioid overdose.

[Act 148](#) (SB 431, P.N. 451; November 3, 2022) - Amends Title 34 (Game), removing county treasurers from the list of agents for issuing antlerless deer licenses and transferring sale of antlerless deer hunting licenses to the Game Commission's Pennsylvania Automated Licensing System.

[Act 149](#) (SB 439, P.N. 457; November 3, 2022) - Amends Recorder of Deeds Fee Law, removing the 10-year sunset on the recording fee for that provides county demolition funds.

[Act 151](#) (SB 696, P.N. 2007; November 3, 2022) - Amends the Breach of Personal Information Notification Act, providing for notification when breach of security of a data system is determined to have occurred. Further requires counties to provide notice to any resident of the commonwealth whose unencrypted and unredacted personal information was reasonably believed to have been accessed by an unauthorized person within seven business days following determination. Additionally requires counties to provide notice of a breach of security of a system to the district attorney within three business days following breach of security of the system.

[Act 154](#) (SB 807, P.N. 989; November 3, 2022) - Amends Title 57 (Notaries Public), eliminating the \$0.50 fee for the registration of an official signature of a notary public, authorizing the "Notary Register" to be located in either the prothonotary's office or office of the recorder of deeds and authorizing the electronic transfer of official notary signatures to the prothonotary's office.

[Act 158](#) (SB 1152, P.N. 2005; November 3, 2022) - Act establishing the Overdose Mapping System, creating an Overdose Information Network containing information about overdoses, as reported by law enforcement including sheriffs and deputy sheriffs. Further requires an annual report to be established by the Pennsylvania State Police and Department of Health containing information surrounding opioid overdose use and response.

[Act 163](#) (SB 1208, P.N. 2006; November 3, 2022) - Amends Title 43 (Judiciary & Judicial Procedure), requiring counties to accept use of credit, debit and bank cards in the payment of court costs, restitution and fines. Further allows for the collection of unpaid fines and fees by referral of defendant cases owing unpaid fines, fees and restitution to collections when a defendant fails to appear for hearings designed to appear at a hearing set to determine the ability to pay. The defendant would be notified of the opportunity to request another financial determination hearing in each communication sent.

Appropriation Bills

[ACT 1A](#) (SB 1100 P.N.; July 8, 2022)- The Commonwealth General Fund Appropriation Act for FY 2022-2023 provides funding for FY 2022-2023 at approximately \$45.3 billion in total for the year. Does not include any tax increases or across the board cuts.

Resolution Bills

[SB 106](#) (P.N. 1857; #JR-1; July 11, 2022) – Amends the PA Constitution providing for additional voter qualifications, election audits, among other provisions. The resolution requires that an elector voting in person shall present a valid government-issued identification before receiving a ballot. Additionally, the resolution provides for the auditing of elections by the Auditor General and when the Auditor General stands for election, an Independent Auditor shall conduct the audit.

Vetoed Bills

[HB 2146](#) (P.N. 2541, Veto 2; January 26, 2022)- Act to accomplish redistricting for congressional districts. Also providing for the nomination and election of Congressmen and requires a publication of notice of the formation of new congressional districts.

[HB 979](#) (P.N. 1706, Veto 3; February 3, 2022)- Amends both Title 18 (Crimes and Offenses) & 53 (Municipalities Generally) preventing local jurisdictions from imposing ordinances relating to the regulation of firearms and ammunition.

[SB 573](#) (P.N. 1783, Veto 8; July 8, 2022)- Amends the Pennsylvania Election Code to appoint three poll watchers for all elections, however the watcher would not have to reside in the county they are watching.

[SB 275](#) (P.N. 1783, Veto 9; July 11, 2022)- Amends Title 53 (Municipalities Generally), prohibits a municipality from adopting a policy that restricts, prohibits or has the effect of restricting or prohibiting the connection or reconnection of a utility service based upon the type of source of energy to be delivered to an individual consumer within the municipality.