

Legislative Bulletin

COUNTY COMMISSIONERS ASSOCIATION OF PENNSYLVANIA
THE VOICE OF PENNSYLVANIA COUNTIES

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SB 908 SET TO BE CONSIDERED BY HOUSE COMMITTEE NEXT WEEK

As the General Assembly returns to Harrisburg next week, [Senate Bill 908](#) is set to receive consideration in the House Labor and Industry Committee on Monday. The bill, introduced by Senator Frank Farry (R-Bucks), would expand Pennsylvania's prevailing wage requirements to additional public construction projects. With the bill now moving through the House, counties are highlighting concerns about the potential impact on local governments and taxpayers.

At a time when counties are already facing rising construction and infrastructure costs, expanding prevailing wage requirements could further increase the cost of public projects and put additional pressure on limited county budgets. Higher project costs could make it more difficult for counties to move forward with needed infrastructure improvements, public facilities and other essential investments.

Pennsylvania's prevailing wage threshold has remained at \$25,000 since the 1960s. Since the threshold has not been adjusted for inflation, it now applies to nearly all public construction projects, regardless of size or complexity. If the threshold had kept pace with inflation, it would exceed \$250,000 today.

As the House prepares to consider Senate Bill 908, counties are **urging lawmakers to address this outdated threshold rather than expand prevailing wage requirements**. Modernizing the threshold would better reflect current economic conditions, provide counties with greater flexibility and help ensure limited taxpayer dollars are used as efficiently as possible.

The upcoming committee consideration provides an important opportunity to address this longstanding issue. Counties remain ready to work with the General Assembly and the Administration on reforms that preserve local flexibility, control unnecessary costs and maximize the value of public investment.

HOUSE PASSES SHORT-TERM RENTAL REGULATION BILL

On Wednesday, September 30, the House passed [House Bill 2083](#), introduced by Rep. Mary Jo Daley (D-Montgomery). House Bill 2083 amends Title 16 (Counties) to give counties the authority to request rental information from third-party booking platforms for short-term rentals. The legislation also requires the Department of Community and Economic Development, in consultation with stakeholders, to develop a model form for counties to use when requesting remittance information.

Counties have long sought clearer authority to obtain the information necessary to ensure that hotel taxes associated with short-term rentals are properly collected and remitted. While Act 109 of 2018 was an important step toward ensuring that third-party booking platforms remit applicable taxes, it did not provide counties with clear statutory authority to obtain the underlying rental and remittance information needed to verify compliance. As a result, counties have had limited options for obtaining the information necessary to effectively administer and audit hotel taxes.

House Bill 2083 addresses these longstanding concerns by clarifying the information counties may request from third-party booking platforms. These

changes will help counties improve compliance, promote more consistent and accurate tax remittance, and ensure that reported information is sufficient for auditing purposes.

CCAP supports House Bill 2083 because it provides counties with greater clarity and the necessary tools to administer hotel taxes effectively. Counties appreciate the General Assembly's efforts to address these longstanding issues and urge the Senate to give this legislation prompt consideration and advance it toward final passage.

OPEN PRIMARIES BILL CLEARS HOUSE

[House Bill 280](#) passed the House with a [vote of 115-88](#) on Tuesday, September 29 and awaits further consideration by the Senate. Introduced by Rep. Jared Solomon (D-Philadelphia), House Bill 280 would amend the Pennsylvania Election Code to allow registered voters who have selected "none," "no affiliation," or wrote in a clear preference to be unaffiliated or independent from a political party to vote in primary elections in Pennsylvania. At polling places, these voters would be able to choose which party's primary to vote in. For mail-in or absentee voting, they would indicate their party choice on the ballot application. Their choice in one primary would not preclude the voter from choosing a different political party in later primary elections.

Counties do not have a position on House Bill 280 but recognize that changes to primary election procedures would require careful consideration of implementation and voter communication. In particular, changes to party affiliation and mail-in or absentee voting procedures could create additional administrative considerations for counties and may require adjustments to existing processes.

As election-related legislation moves forward, continued coordination between the state and counties will be important to identify implementation considerations early and help ensure voters receive clear and consistent information about any changes to the primary election process. Any changes to the Election Code should also provide counties with sufficient time to update procedures, systems and voter communications well in advance of an election.

DATA CENTER BILLS MOVE FORWARD

On September 29, the Senate Communications and Technology Committee unanimously approved [Senate Bill 1408](#), introduced by Senator Tracy Pennycuik (R-Berks). The bill would prohibit the use of nondisclosure agreements (NDAs) between data centers and local governments or state agencies when the agreement prohibits or limits the public agency from disclosing information about the data center, its construction, development or location, or the agreement itself to the public. Senate Bill 1408 now heads to the full Senate for further consideration.

[House Bill 2535](#), introduced by Rep. Christina Sappey (D-Chester), would establish the Commercial Data Center Public Safety Act. The bill would establish requirements for large data centers and similar facilities to provide certain emergency and infrastructure information to local fire and emergency management officials. Specifically, facility owners or operators would be required to provide an emergency operations floor plan and a generalized infrastructure inventory to local fire officials.

CCAP supports House Bill 2535 as it would provide local emergency response officials with information needed to prepare for and respond to potential emergencies at large data center facilities. The bill passed the House of Representatives on September 30 and now moves to the Senate for further consideration.

COUNTY-SUPPORTED BRIDGE FUNDING BILL CLEARS COMMITTEE

[House Bill 2437](#), introduced by Rep. Nate Davidson (D-Dauphin), passed the Senate Transportation Committee on Wednesday, September 30. This legislation would amend the Oil and Gas Act to allow a portion of unconventional gas well fee revenues to fund bridge projects, which is a significant step forward. This change enables counties to proactively repair locally owned bridges before they reach critical risk, rather than addressing deterioration after it occurs.

Expanding the allowable use of funds to include municipal bridges provides counties with a more flexible funding stream, empowering them to address and rebuild critical infrastructure more effectively. The legislation would broaden

funding opportunities available to counties and strengthen their ability to maintain and improve local transportation networks.

The bill now moves to the Senate floor for consideration. Counties look forward to continuing to work with the General Assembly as the legislation advances.

SUPREME COURT UPHOLDS GOVERNMENT LIABILITY CAPS

On October 1, the Pennsylvania Supreme Court affirmed the Commonwealth Court's decision in *Freilich v. Southeastern Pennsylvania Transportation Authority*, upholding the statutory framework governing damages recoverable against government entities.

While the case directly involved the liability cap applicable to Commonwealth agencies, this case has important implications for counties and other local governments. The decision extends *Zauflik v. Pennsbury School District*, which upheld the \$500,000 liability cap under the Political Subdivision Tort Claims Act. The Court recognized that, given the similarity of the immunity statutes, a decision undermining the cap "would likely impact core government functions," including local political subdivisions and school districts.

CCAP is reviewing the Court's opinion and will provide a more detailed analysis of the decision and its implications for counties in the coming days.

SUPREME COURT ALLOWS NEW SAVE CITIZENSHIP VOTER VERIFICATION SYSTEM TO PROCEED

The Supreme Court on September 25 allowed the White House to move forward with using an expanded Department of Homeland Security (DHS) citizenship verification system to check voter registration rolls. The Systematic Alien Verification for Entitlements (SAVE) system now links to Social Security Administration (SSA) data enabling state and local officials to verify voter citizenship eligibility in bulk.

The SAVE system has historically been used to verify citizenship for public assistance eligibility using immigration and naturalization records. After the White House issued [Executive Order 14248](#) in March 2025, DHS expanded the system to include Social Security Administration data, including Social Security numbers, names, and dates of birth. This enabled state and local governments to run bulk citizenship checks rather than individual inquiries.

Voting rights and privacy groups, including the League of Women Voters and the Electronic Privacy Information Center, filed a lawsuit that led a lower court to block use of the modified system, finding it violated federal privacy law, the Social Security Act, and the Administrative Procedure Act. The administration then sought an emergency stay, which the Supreme Court granted, allowing implementation to resume while litigation continues. The Supreme Court ruled that the White House could use this expanded system.

County governments provide essential voter registration and election administration services in states across the country. For additional information on the ruling and its potential impacts, please refer to the [analysis](#) prepared by the National Association of Counties (NACo).

CCAP in the News

- [Franklin County Administrator Honored with Statewide Award](#)
- [Penn State Liberal Arts students travel to Harrisburg for career exploration day](#)
- [Pa. will get over \\$500 million in Meta settlement. Now it has to decide how to spend it](#)



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