

No. 1992-137

## AN ACT

SB 962

Authorizing certain counties to increase the recording fees of deeds and mortgages to support or enhance local affordable housing efforts.

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

**Section 1. Short title.**

This act shall be known and may be cited as the Optional County Affordable Housing Funds Act.

**Section 2. Legislative purpose.**

The General Assembly intends to provide an alternative method for county governments to raise revenues at the local level to enable county residents to purchase or rent quality residential housing.

**Section 3. Definitions.**

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

“Affordable housing effort.” Any program or project approved by the county commissioners which increases the availability of quality housing, either sales or rental, to any county resident whose annual income is less than the median income of the county.

“County.” Any county of the second, second A, third, fourth, fifth, sixth, seventh or eighth class. The term does not include any county of the first class.

**Section 4. Optional fee increases.**

The county commissioners or the governing body of each county, as defined in section 3, shall have the power and may by ordinance increase the fees charged by the recorder of deeds for recording deeds and mortgages under the act of June 12, 1919 (P.L.476, No.240), referred to as the Second Class County Recorder of Deeds Fee Law, and the act of April 8, 1982 (P.L.310, No.87), referred to as the Recorder of Deeds Fee Law. The additional fees levied by the county commissioners shall not exceed 100% of the amounts charged on the effective date of this act.

**Section 5. Disposition of proceeds.**

All additional moneys raised under section 4 shall be deposited in the general fund of the county and shall be allocated as follows: A minimum of 85% or such higher amount as may be determined by the county of the additional revenue shall be set aside in a separate account to be used to fund affordable housing efforts in the county. Fifteen percent of the amount allocated under this paragraph may be used by the county for the administrative costs associated with the affordable housing efforts.

**Section 6. Affordable housing efforts.**

Affordable housing efforts may include, but shall not be limited to:

(1) Providing local matching funds to secure National Affordable Housing Act of 1990 HOME funds.

(2) Assisting or supporting housing efforts by the Pennsylvania Housing Finance Agency and by commercial banks and thrift institutions.

(3) Supporting second soft mortgage programs.

**Section 7. Effective date.**

This act shall take effect in 60 days.

APPROVED—The 14th day of December, A. D. 1992.

ROBERT P. CASEY