



Senate Committee on Community, Economic and Recreational Development

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House Bill 2022, Printer's No. 2780

Date: June 19, 2012

Sponsor: Representative Peifer

Bill Summary

House Bill 2022, Printer's No. 2780, establishes a standalone act to be known as the Pennsylvania Business Permitting Portal Act that provides for the Pennsylvania Business Permitting Portal within the Department of Community and Economic Development (DCED); and creates the Pennsylvania Business Permitting Portal Advisory Board.

{Intent and Purpose}

The intent of this act is as follows:

- To provide one-stop services to assist businesses in identifying and securing appropriate permits, licenses, certifications, applications, forms and registrations.
- To establish the Pennsylvania Business Permitting Portal to provide an electronic single access point to aid business owners in completing business registration forms and permit applications.
- To provide for a comprehensive and categorized listing of all permits required by Commonwealth agencies.
- To promote efficient dialogue between permit applicants and the responsible Commonwealth agency.

{Definitions}

The following terms are defined:

- "Commonwealth agencies"
- "Department" – DCED
- "Individual business account" – A secure online account maintained by DCED to store individualized information relating to a business's activities through the permitting portal.
- "Local permitting authorities" – Any municipality or municipal authority which is {vs. "authority"} authorized to issue a permit.
- "Permit"
- "Permit application"
- "Permitting portal"
- "Secretary" – Secretary of DCED.

{Establishment of the Pennsylvania Business Permitting Portal}

Provides that DCED shall establish the Pennsylvania Business Permitting Portal to provide a single online access point to aid existing and potential business owners in completing the necessary permit applications associated with establishing and operating in this Commonwealth. At a minimum the permitting portal shall allow for the following:

- Creation of an individual business account to store general information on the business to be used to fill in recurring fields.
- Electronic permit submission.
- Electronic submission of fees and fines.
- Tracking payments from Commonwealth agencies to contractors.
- Tracking pending permit applications.

- Recording electronic signatures.
- Access to customized, agency-created to-do checklists.
- Online interaction with DCED to resolve difficulties
- Online access with Commonwealth agencies to resolve questions.
- Protection of confidential information.
- Recording of backup records.
- Listing of information related to local permit application

{Cooperation}

- DCED shall coordinate with Commonwealth agencies to identify permits that are appropriate and compatible with the permitting portal.

{Preservation of Commonwealth Agency Authority}

- This act shall not supersede any regulatory authority granted to a Commonwealth agency.
- A Commonwealth agency shall maintain final authority to do the following:
 - Determine permits appropriate for inclusion.
 - Approve or deny permits.
 - Determine requirements for submission and payment (fees and fines).

{Liability}

This act shall not impose any liability on DCED resulting from the operation of the permitting portal.

{Permitting Portal Advisory Board}

There is established within DCED the permitting portal advisory board that shall advise DCED on ways to ensure that the permitting portal is operated in an effective and user-friendly manner.

The permitting portal advisory board shall consist of seven members:

- Secretary of DCED
- One member appointed by President Pro Tempore of the Senate.
- One member appointed by Minority Leader of the Senate.
- One member appointed by Speaker of the House of Representatives.
- One member appointed by Minority Leader of the House of Representatives.
- One member appointed by the Governor representing small business.
- One member appointed by the Governor representing business

The Secretary of DCED (or designee) shall serve as the chairperson. Members shall serve without compensation (but shall be reimbursed for expenses).

{Effective Date}

This act shall take effect in 60 days.

[A11706] (Earl) Amendment Summary

This amendment would make significant technical and substantive changes to the proposed legislation. Instead of creating a board to establish the Pennsylvania Business Permitting Portal it would create a committee to first examine the establishment, development, implementation and maintenance of a permitting portal to be established by the Office of Administration thereafter. It also provides for cooperation between the committee and Commonwealth agencies, for preservation of Commonwealth agency authority and for upgrades to existing information technology systems.

{Intent and Purpose}

The intent and purpose section of this act is dropped (leaving the provisions of the act speak for itself).

{Definitions}

It modifies the proposed definition of “Commonwealth agency” so that the term encompasses both executive agencies and independent agencies.

It adds the following definition:

- “Committee” – The Pennsylvania Business Permitting Portal Advisory Committee.
- “Executive agency” – Any department, board, commission, authority or other officer or agency of the Commonwealth (under the Governor).
- “Independent agency” – Any board, commission or other agency or officer of the Commonwealth (not under the Governor).

It eliminates the following proposed defined terms:

- “Department” – DCED.
- “Individual business account”.
- “Local permitting authorities”.
- “Permitting application”.
- “Secretary”.

{Pennsylvania Business Permitting Portal Advisory Committee}

Instead of having the Department of Community and Economic Development (DCED) establish the Pennsylvania Business Permitting Portal it requires the Governor to first establish a committee to examine the establishment, development, implementation and creation of the Pennsylvania Business Permitting Portal, which is defined as a single online access point that aids existing and potential business owners in completing the necessary permit applications and forms associated with establishing and operating a business in this Commonwealth. All executive agencies (under the Governor) shall cooperate and provide assistance.

The Committee shall consist of the following:

- Three members selected by the Governor.
- One member selected by President Pro Tempore of the Senate.
- One member selected by the Minority Leader of the Senate.
- One member selected by the Speaker of the House of Representatives.
- One member selected by the Minority Leader of the House of Representatives.

Members of the committee shall serve at the pleasure of their appointing officials and shall receive no compensation.

Members shall be selected within 60 days of the effective date and an organizational meeting of the committee shall take place no later than 60 days following the selection of the first committee member.

The duties of the committee are as follows:

- 1) Identify the executive agencies that will be affected by and included in the permitting portal.
- 2) Identify the independent agencies which could benefit from being included in the permitting portal.
- 3) Compile listing of all permits required by any Commonwealth agency to establish and operate a business.
- 4) Make recommendations relating to the minimum functions and services of the permitting portal (including the costs associated with the development and maintenance).
- 5) Make recommendations with regard to how the permitting portal will handle and provide for fees or financial transactions.
- 6) Make recommendations that will ensure an effective and user-friendly permitting portal.
- 7) Make recommendations that will ensure efficient communications and interaction between Commonwealth agencies and its users.

The committee, no later than one year after the effective date, shall issue a report of its findings and recommendations to the Governor, the Secretary of the Senate and the Chief Clerk of the House of Representatives.

{Cooperation}

The committee shall coordinate with Commonwealth agencies to identify permits that are appropriate and compatible with the permitting portal.

{Preservation of Commonwealth agency authority}

Nothing in this act shall supersede any statutory or regulatory authority granted to any Commonwealth agency. Each Commonwealth agency shall maintain final authority to approve, deny, revoke or suspend permits according to applicable law.

{Establishment of the Pennsylvania Business Permitting Portal}

The Office of Administration shall establish, develop and implement the Pennsylvania Business Permitting Portal in accordance with the timeline and recommendations established within the report.

{Updates to Information Technology Systems}

The Office of Administration may enter (upon completion and submission of the report) into contracts with third party providers in order to upgrade and maintain information technology systems necessary for the creation, development and establishment of the permitting portal.

{Effective Date}

This act shall take effect January 1, 2013.

Existing Law

No specific statutory authority currently mandates the establishment or maintenance of an interagency permitting portal.