

FISCAL NOTE

October 26, 2020

Bill No:	SB 101	Printer's No:	73	Sponsor:	Sen. Hutchinson
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COST / (SAVINGS)

Fund (s)	2020-21	2021-22
Motor License Fund/General Fund	"See Fiscal Impact"	"See Fiscal Impact"

SUMMARY: Senate Bill 101 amends the State Highway Law for the purpose of requiring the state to financially support certain boroughs and incorporated towns within this commonwealth.

ANALYSIS: Senate Bill 101 requires the Pennsylvania Department of Transportation (PennDOT) to construct and maintain all surface and subsurface drainage facilities connected with state highways within boroughs and incorporated towns with populations equal or lesser than 2,500.

Currently, responsibility for state highway maintenance varies based on municipality type. Generally, if the state highway is located in a township then surface and subsurface drainage systems are maintained by PennDOT, and if the state highway is located in a borough or incorporated town then only the surface of the road is maintained leaving the subsurface maintenance to the borough or town.

This legislation would take effect in 60 days upon passage.

FISCAL IMPACT: Senate Bill 101 would result in substantial costs to either the Motor License Fund or the General Fund*, as demonstrated in the chart below.

Fiscal Year	Purpose	Costs
2020-21	One-time replacement of drainage facilities	\$145,000,000
Year-over-year	Annual maintenance costs	\$5,000,000

**According to PennDOT, if the storm water responsibilities extend beyond highway drainage into general municipal drainage construction, reconstruction, maintenance and repair, that responsibility is likely beyond the permissible scope of Motor License Fund spend as that is limited to expenditures for the "safety on public highways and bridges and costs and expenses incident thereto." In that case, the General Assembly would be required to appropriate General Fund monies to PennDOT for this purpose.*