



PML.org
414 North Second Street
Harrisburg, PA 17101

717-236-9469
f 717-236-6716

MEMO

To: Members of the PA House of Representatives
From: Amy Sturges, Director of Governmental Affairs
Re: Opposition to House Bill 1947
Date: December 14, 2021

On behalf of the members of the Pennsylvania Municipal League, I am writing to express our strong opposition to House Bill 1947 which seeks to preempt local actions regarding energy sources and use.

HB 1947 would prohibit municipalities from taking action through policies that restrict or prohibit, or have the effect of restricting or prohibiting, the connection or reconnection of a utility service based on the type or source of energy. It would also prohibit a municipality from discriminating against a utility service based on the type or source of energy. Finally, it broadly defines a policy as, “a requirement, including a zoning or building code requirement or restriction, which is imposed by ordinance, resolution, rule, code, land use regulation, general or specific plan provision or otherwise.”

This bill is unnecessary. In Pennsylvania, the Public Utility Commission has jurisdiction over the regulation of utilities; therefore, local regulatory action is prohibited. A municipality cannot restrict a source of energy, like natural gas; and no municipality in Pennsylvania is looking to take such action. Municipalities are, however, implementing environmental policies and working at varying degrees to address sustainability through local actions that promote improved air quality, energy efficiency and energy costs.

HB 1947 would expose municipalities with climate policies, incentives and actions that go beyond municipal operations to claims of discrimination by the energy industry. The broad language leaves a wide gap for subjective interpretation of what is actually being prohibited, making the bill dangerous for local governments and taxpayers alike.

Overall, this legislation is unnecessary in Pennsylvania and will very likely create confusion and expose municipalities to litigation because it is broad, subjective and unclear.

We ask for a no vote as HB 1947 comes before the full House.

Thank you.