

Municipal and Other Authorities

The municipal authority in Pennsylvania is defined as “a body politic and corporate” created to finance and/or operate specific public works projects without tapping the general taxing powers of the municipality. Authorities (sometimes known as special districts in other states) are alternate vehicle for accomplishing public purposes rather than through direct action of counties, municipalities and school districts.

Pennsylvania originally allowed its municipalities to create authorities under the Municipalities Authorities Act of 1935. The present Municipality Authorities Act was approved June 19, 2001 (P.L. 287, No. 22) and is codified at 53 Pa.C.S. § 5601 - § 5622. The Act requires that the public works project must be in the proprietary fields of government, must have a public interest and must be self-sustaining.

To form a municipal authority in Pennsylvania, articles of incorporation must be filed with the Department of State’s Bureau of Corporations and Charitable Organizations. There is no pre-printed form available for municipal authority filings and no docketing statement is required. However, the articles of incorporation must contain the following information:

- The statements required by 53 Pa.C.S. § 5603 (relating to Method of Incorporation)

And must be accompanied by:

- The filing fee of \$125
- Proofs of publication
- A copy of the resolution or ordinance that was adopted.

Other Types of Authorities Formed Under Special Legislation

In addition to the Municipality Authorities Act, a number of state laws authorize formation of local authorities of a specialized nature. Many of these are similar to municipal authorities with special added powers or additional restrictions. The enabling acts for many of these authorities require formation and other filings to be made with the Secretary of the Commonwealth. Such filings must be made with the Department of State’s Bureau of Corporations and Charitable Organizations

Following is a list of other authority types and citations to the enabling act or section of the law which requires a formation filing for the authority to be made with the Department of State. The articles of incorporation must contain the statements required by the relevant enabling act and must be accompanied by:

- The filing fee of \$125
- Proofs of publication (if required)
- A copy of the resolution or ordinance that was adopted (if required)

Convention Center/Stadium Authorities

Public Auditorium Authorities Law, Act of July 29, 1953 (P.L. 1034, No. 270)

53 P.S. § 23841 – § 23857

See 53 P.S. §23843 (relating to Method of Incorporation)

Sports and Exhibition Authority Act, Act of October 30, 2000 (P.L. 616, No. 85)

16 P.S. § 5501-A – § 5518-A

See 16 P.S § 5503-A (relating to Method of Incorporation)

Housing Authorities

Housing Authorities Law, Act of May 28, 1937 (P.L. 955, No. 265)

35 P.S. § 1541 (2014)

See 35 P.S. § 1544 (relating to Formation of Housing Authorities)

Industrial and Commercial Development Authorities

Economic Development Financing Law, Act of Aug. 23, 1967 (P.L. 251, No. 102)

73 P.S. § 371

See 73 P.S. § 374 (relating to Method of incorporation; applicable elected representative)

Parking Authorities

Parking Authority Law, Act of June 19, 2001 (P.L. 287, No. 22)

53 Pa.C.S. § 5501 - § 5517

See 53 Pa.C.S § 5504 (relating to Method of incorporation)

Redevelopment Authorities

Urban Redevelopment Law, Act of May 24, 1945 (P.L. 991, No. 385)

35 P.S. § 1701

See 35 P.S. § 1704 (relating to Formation of Authorities)

Residential Finance Authorities

Act of Nov. 5, 1981 (P.L. 330, No. 120)

16 P.S. § 5201-A

See 16 P.S. § 5202-A (relating to Creation)

Transit Authorities

Metropolitan transportation authorities

Act of Feb. 10, 1994 (P.L. 20, No. 3)

74 Pa.C.S. 1701

See 74 Pa.C.S. § 1711 (relating to Creation of metropolitan transportation authorities)

These acts also govern, to varying degrees, the procedures for amendment, joinder and withdrawal, merger or consolidation, revival and termination of authorities. Please refer to the appropriate authorizing act for filing requirements and advertising requirements, if any. No docketing statements are required for authority filings.

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