

Senate Local Government Committee

06/30/2026, 10:30 a.m., Room 8E-A, East Wing

By Dominic Kenny, Pennsylvania Legislative Services

The committee met to consider two bills.

SB 1345, Prime Sponsor: Sen. Jarrett Coleman (R-Bucks) – (PN 1766) Amends the Pennsylvania Municipalities Planning Code, in zoning, providing for optional moratorium on filing or consideration of new applications for high impact data centers. Allows a municipality to impose by ordinance a temporary moratorium prohibiting the filing or consideration of documents relating to high impact data centers with additional details. Requires a moratorium ordinance to identify the planning, study or ordinance developed activities to be undertaken during the moratorium. Asserts that a municipality must make reasonable progress on the activities listed under paragraph (1) during the moratorium period identified in the ordinance. Requires the governing body to conduct a public hearing with notice and requires the ordinance to include findings supporting the necessity of the moratorium and identifying the moratorium's relationship to the planning activities in subsection (b). Stipulates that the moratorium may not apply to approvals or permits previously granted. Requires the moratorium ordinance to provide a process by which an applicant may request a waiver upon showing specified requirements. Stipulates that during a moratorium period, the municipality shall consult, as applicable, with the county planning agency regarding planning and ordinance updates contemplated under subsection (b). Asserts that a moratorium authorized under this section and implemented in compliance with this act is a reasonable, time-limited planning measure and shall not be construed to create liability for damages if the municipality affords the exemptions and procedures required under this section. Prohibits this section from being construed to limit any other municipal powers or procedures authorized under this act, nor to mandate the adoption of a moratorium and from altering or diminishing the rights of public utilities or electric cooperatives under other applicable statutes. Provides definitions. Effective immediately. The bill was reported as committed, with Sen. Tim Kearney (D-Delaware) voting in the negative.

A04084, by Brown, provides for a 36-month moratorium. The amendment failed, with committee members voting in the negative, excluding Sens. Rosemary Brown (R-Lackawanna) and Lynda Schlegel Culver (R-Northumberland).

Sen. Coleman said data center construction has become a “lightning rod” in the commonwealth, sparking concerns over energy costs, water usage, quality of life and the loss of scenic beauty. He said the bill allows municipalities the option to place a moratorium on new applications for high-impact data centers, giving them more time to develop local ordinances that address the needs of their community.

Sen. Brown said her amendment would give municipalities even more time to draft local ordinances regarding data centers, noting that many local governments are “caught off guard” and lack the tools to evaluate such large projects. She added that her amendment gutted and replaced the language of the bill to incorporate the language of Senate Bill 1359, which she is a co-sponsor of.

Minority Chair Patty Kim (D-Dauphin) raised concerns regarding the Pennsylvania Municipalities Planning Code (MPC) and the potential unconstitutionality of a three-year moratorium. She noted that a county in Texas was sued for \$100 million and was forced to rescind a one-year moratorium. Sen. Brown said she felt the amendment protected the constitutional rights of Pennsylvania residents. She said she would be happy to discuss the case law aspect of the amendment with Chair Kim after the meeting. Chair Kim said she felt that the three-year moratorium was too long and risked the loss of local control. She said she would be open to holding a public hearing on the bill.

Sen. James Malone (D-Lancaster) expressed doubt that the three-year moratorium would help local governments, saying, “What you’ll end up having is stuff put off and not dealt with until [the last minute].”

Chair Dawn Keefer (R-York) said she did not believe the three-year moratorium was constitutional.

HB 2496, Prime Sponsor: Rep. Paul Friel (D-Chester) – (PN 3682) Amends the Pennsylvania Municipalities Planning Code, in general provisions, providing for pause on data center proposals. Asserts that the governing body of a municipality may adopt a resolution at a public meeting to impose a pause on the consideration of applications for data center developments under a land use ordinance. Stipulates that during a pause, the number of days provided to satisfy time limits imposed by law in review, hearing and decision on an application received after the effective date of the pause shall be suspended and tolled as of the date received and shall resume upon the expiration of the pause. Does not permit a municipality to consider an application for a data center development by changing the agenda under 65 P.C.S. § 712.1(E) (relating to notification of agency business required and exceptions. Allows a municipality to adopt, amend or repeal land use ordinance provisions in the law related to data center development during the duration of the pause, and the applications for new data center developments will be subject to any adoption, amendment or repeal of said provisions. Asserts that an application that is submitted to the municipality during the pause shall be deemed received the day after the pause ends. Adds language providing what nothing in this section shall be construed to do. Details that the authorization to implement a pause under this section shall not be construed as a limitation on the powers of a city of the first class or second class under any other statute or home rule charter, notwithstanding the applicability of this section in every part of this commonwealth. Provides that nothing in this section shall be construed to prevent a municipality from utilizing the procedures for municipal curative amendments before, during or after a pause under this section. Establishes that the intent of this section is to

preserve and strengthen local decision-making authority regarding the siting and regulation of data centers and not to create any form of state preemption of municipal land use authority. Defines “data center” and “municipality.” Effective immediately. (Prior PN: 3381, 3628). The bill was unanimously reported as committed.

A04046, by Keefer, asserts that the pause can only apply to new data center land development applications and adds language on when a municipality can reenact a pause after it expires. The amendment was unanimously adopted.

Rep. Friel said his bill gives municipalities breathing room by giving them the option to establish a temporary 180-day hold on data center applications while they review local conditions, engage residents and develop appropriate zoning standards that will hold up under legal scrutiny. “This bill is not pro data center, but it is also not against data centers,” he said. He argued the bill struck a balance between respecting local control and promoting economic growth.