

AMENDMENTS TO SENATE BILL NO. 976

Sponsor: SENATOR HUGHES

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1 Amend Bill, page 1, line 4, by striking out the period after
2 "courts" and inserting
3 ; and, in limitation of time, providing for action in judicial
4 emergency.

5 Amend Bill, page 3, line 2, by striking out all of said line
6 and inserting

7 Section 2. Chapter 55 of Title 42 is amended by adding a
8 subchapter to read:

9 SUBCHAPTER E
10 ACTION IN JUDICIAL EMERGENCY

11 Sec.

12 5591. (Reserved).

13 5592. Real property and tenancy-related actions related to
14 COVID-19 outbreak.

15 \$ 5591. (Reserved).

16 \$ 5592. Real property and tenancy-related actions related to
17 COVID-19 outbreak.

18 (a) General rule.--Notwithstanding any provision of law to
19 the contrary, the following shall apply relating to the COVID-19
20 outbreak:

21 (1) No court in this Commonwealth may accept any filing
22 or pleading instituting a new action arising under the act of
23 April 6, 1951 (P.L.69, No.20), known as The Landlord and
24 Tenant Act of 1951, until 60 days after the expiration of
25 judicial emergency by the Pennsylvania Supreme Court or
26 president judge of a judicial district under Pa.R.J.A. No.
27 1952 (relating to emergency actions, duties and authorities),
28 whichever is later. During the period of judicial emergency
29 or delay under this paragraph, a landlord may not charge fees
30 or penalties under The Landlord and Tenant Act of 1951. No
31 fees or penalties that would have otherwise accrued but for a
32 judicial emergency or the delay under this paragraph may be
33 assessed.

34 (2) If an action arising under The Landlord and Tenant
35 Act of 1951 was filed or a judgment by agreement has been
36 executed within 30 days prior to the declaration of a

1 judicial emergency by the Pennsylvania Supreme Court or
2 president judge of a judicial district under Pa.R.J.A. No.
3 1952, a landlord may not proceed with the action until 60
4 days after the expiration of judicial emergency by the
5 Pennsylvania Supreme Court or president judge of a judicial
6 district under Pa.R.J.A. No. 1952, whichever is later. It
7 shall not be a breach of a covered judgment by agreement if
8 the tenant complies with all applicable conditions of the
9 agreement within 60 days after the expiration of a judicial
10 emergency by the Pennsylvania Supreme Court or president
11 judge of a judicial district under Pa.R.J.A. No. 1952,
12 whichever is later. No writ may be executed until 60 days
13 after the expiration of a judicial emergency by the
14 Pennsylvania Supreme Court or president judge of a judicial
15 district, whichever is later. A landlord, during a judicial
16 emergency under this paragraph, otherwise eligible to charge
17 fees or penalties under The Landlord and Tenant Act of 1951,
18 may not charge fees or penalties during the time of judicial
19 emergency or delay under this paragraph. No fees or penalties
20 that would have otherwise accrued but for a judicial
21 emergency or delay under this paragraph may be assessed.

22 (3) No court in this Commonwealth may accept any filing
23 or pleading instituting a new eviction action against a
24 business, until 60 days after the expiration of judicial
25 emergency by the Pennsylvania Supreme Court or president
26 judge of a judicial district under Pa.R.J.A. No. 1952,
27 whichever is later. During the period of judicial emergency
28 or delay under this paragraph, a landlord may not charge fees
29 or penalties. No fees or penalties that would have otherwise
30 accrued but for a judicial emergency or the delay under this
31 paragraph may be assessed.

32 (4) If an action arising to eviction of a business was
33 filed within 30 days prior to the declaration of a judicial
34 emergency by the Pennsylvania Supreme Court or president
35 judge of a judicial district under Pa.R.J.A. No. 1952, a
36 landlord may not proceed with the action until 60 days after
37 the expiration of judicial emergency by the Pennsylvania
38 Supreme Court or president judge of a judicial district under
39 Pa.R.J.A. No. 1952, whichever is later. No writ may be
40 executed until 60 days after the expiration of a judicial
41 emergency by the Pennsylvania Supreme Court or president
42 judge of a judicial district, whichever is later. A landlord,
43 during a judicial emergency under this paragraph may not
44 charge fees or penalties during the time of judicial
45 emergency or delay under this paragraph. No fees or penalties
46 that would have otherwise accrued but for a judicial
47 emergency or delay under this paragraph may be assessed.

48 (5) No court may accept a new action relating to the
49 foreclosure on a residential property or business until 60
50 days after the expiration of a judicial emergency by the
51 Pennsylvania Supreme Court or president judge of a judicial

1 district under Pa.R.J.A. No. 1952, whichever is later. During
2 a period of judicial emergency under this paragraph, a
3 petitioner, otherwise eligible to charge fees or penalties,
4 may not charge fees or penalties during the time of judicial
5 emergency or delay under this paragraph. No fees or penalties
6 that would have otherwise accrued but for the judicial
7 emergency or delay under this paragraph may be assessed.

8 (6) If an action relating to the foreclosure of a
9 residential property or business was commenced prior to the
10 issuance of declaration of a judicial emergency by the
11 Pennsylvania Supreme Court or president judge of a judicial
12 district under Pa.R.J.A. No. 1952, a petitioner may not
13 proceed with an action until 60 days after the expiration of
14 a judicial emergency by the Pennsylvania Supreme Court or
15 president judge of a judicial district under Pa.R.J.A. No.
16 1952, whichever is later. During a period of a judicial
17 emergency under this paragraph, a petitioner, otherwise
18 eligible to charge fees or penalties, may not charge fees or
19 penalties during the time of judicial emergency or delay
20 under this paragraph. No fees or penalties that would have
21 otherwise accrued but for a judicial emergency or delay under
22 this paragraph may be assessed.

23 (b) Definition--As used in this section, the term
24 "foreclosure" shall include:

25 (1) An action of mortgage foreclosure under Pa.R.C.P.
26 Ch. 1000 Subch. I (relating to action of mortgage
27 foreclosure).

28 (2) An action in ejectment under Pa.R.C.P. Ch. 1000
29 Subch. C (relating to action in ejectment).

30 (3) An action to sell property to recover delinquent
31 real estate taxes under:

32 (i) the act of May 16, 1923 (P.L.207, No.153),
33 referred to as the Municipal Claim and Tax Lien Law; and

34 (ii) the act of July 7, 1947 (P.L.1368, No.542),
35 known as the Real Estate Tax Sale Law.

36 (4) An action under the act of November 24, 1976
37 (P.L.1176, No.261), known as the Manufactured Home Community
38 Rights Act.

39 (5) An action under 13 Pa.C.S. (relating to commercial
40 code).

41 Section 3. This act shall take effect as follows:

42 (1) The amendment of section 916 of the act shall take
43 effect in 60 days.

44 (2) The remainder of this act shall take effect
45 immediately.