

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 849

Session of
1977

INTRODUCED BY O'CONNELL, BURNS, PYLES, HOPKINS, BRANDT, HARPER,
MEBUS, CIMINI, SHUMAN, NOYE, SALVATORE, THOMAS,
J. L. WRIGHT JR., FISCHER, WILT, MILLER, SPENCER, SIRIANNI,
GARZIA, E. Z. TAYLOR, GRIECO, MACKOWSKI, DeVERTER, KLINGAMAN,
FREIND, E. H. SMITH, LETTERMAN AND DAVIES, MARCH 30, 1977

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 30, 1977

AN ACT

1 Amending the act of June 22, 1964 (2nd Sp.Sess., P.L.84, No.6),
2 entitled "An act to codify, amend, revise and consolidate the
3 laws relating to eminent domain," providing consequential
4 damages from a taking resulting from flood programs.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 602, act of June 22, 1964 (2nd Sp.Sess.,
8 P.L.84, No.6), known as the "Eminent Domain Code," is amended by
9 adding a subsection to read:

10 Section 602. Measure of Damages.--* * *

11 (f) In the case of property for which the market value has
12 been substantially reduced by the enactment of municipal flood
13 plain management regulations the measure of damages shall be the
14 difference between the fair market value of the entire property
15 interest before the enactment of the municipal flood plain
16 management regulations and as unaffected thereby and the fair
17 market value of the property interest remaining immediately

1 after the enactment of such regulations and as affected thereby
2 and such other damages as are provided in this code.
3 Section 2. This act shall take effect in 60 days.